

SENATE.

THURSDAY, October 30, 1919.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we invoke Thy divine blessing upon the deliberations of the Senate this day. We thank Thee for a Nation founded upon prayer, and we bless Thee for the constant access that we have to the throne of grace. We remember that we are taught in Thy Word that the nation that forgets God shall be cast into hell and that Thy promise is given to those who seek the kingdom of God and His righteousness first. We pray Thee to-day to help us to cling with the fidelity and the passion of our fathers to the God of our fathers. Let Thy guidance be with us. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Wednesday, October 22, 1919, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9205) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1216. An act to amend an act entitled "An act to provide aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States," approved August 27, 1888, as amended March 2, 1889;

H. R. 2980. An act to increase the efficiency of the Military Establishment of the United States;

H. R. 7752. An act relating to detached service of officers of the Regular Army; and

H. R. 8314. An act to provide for the training of officers of the Army in aeronautic engineering and the issue of equipment and materials therefor.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 1216. An act to amend an act entitled "An act to provide aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States," approved August 27, 1888, as amended March 2, 1889;

H. R. 2980. An act to increase the efficiency of the Military Establishment of the United States;

H. R. 7752. An act relating to detached service of officers of the Regular Army; and

H. R. 8314. An act to provide for the training of officers of the Army in aeronautic engineering and the issue of equipment and materials therefor.

PETITIONS AND MEMORIALS.

Mr. STERLING presented a memorial of sundry citizens of Freeman, S. Dak., remonstrating against universal military training, which was referred to the Committee on Military Affairs.

Mr. CURTIS presented a memorial of sundry citizens of Stafford, Kans., remonstrating against the passage of the so-called Siegel bill, requiring licenses of all persons engaged in the business of buying and selling, which was referred to the Committee on Finance.

He also presented a petition of Local Lodge No. 293, International Association of Machinists, of Parsons, Kans., praying for the adoption of the so-called Plumb plan for the control and operation of railroads, which was referred to the Committee on Interstate Commerce.

He also presented memorials of sundry citizens of Girard, Liberal, and Willowdale, all in the State of Kansas, remonstrating against compulsory military training, which were referred to the Committee on Military Affairs.

He also presented a memorial of Chief Lodge, No. 87, Brotherhood of Railway Carmen of America, of Horton, Kans., remonstrating against the passage of the so-called Cummins bill, providing for private ownership and control of railroads, which was ordered to lie on the table.

He also presented a petition of Livermore Circle, No. 66, Ladies of the Grand Army of the Republic, of Beloit, Kans., praying for an increase in the pensions of veterans of the Civil War, which was referred to the Committee on Pensions.

Mr. PAGE presented a petition of Local Branch No. 1, National Association of United States Civil Service Employees at Navy Yards and Stations, of Brooklyn, N. Y., praying for a 40 per cent increase in salaries of all clerical employees in the Naval Establishment, which was referred to the Committee on Naval Affairs.

Mr. McLEAN presented a petition of the congregation of the Congregational Church of Somersville, Conn., praying for the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

He also presented a petition of the Common Council of Bridgeport, Conn., praying for the retention of Flume as an Italian possession, which was referred to the Committee on Foreign Relations.

He also presented a petition of the congregation of Hill Church, of Woodstock, Conn., praying that the United States aid Armenia in obtaining its independence, which was referred to the Committee on Foreign Relations.

Mr. KNOX presented a petition of Post No. 15, American Legion, of Waynesboro, Pa., praying for the granting of an additional bonus of \$400 to all honorably discharged soldiers, sailors, and marines, which was referred to the Committee on Military Affairs.

He also presented a petition of Local Division No. 583, Order of Railway Conductors, of Allentown, Pa., praying for an investigation into the production, distribution, and cost of coal with a view to establishing increased production, more equitable distribution, and the elimination of exorbitant profits, which was referred to the Committee on Interstate Commerce.

He also presented memorials of sundry citizens of Pittsburgh, Philadelphia, Latrobe, Mt. Oliver, Allentown, Derry, Bethlehem, Glenshaw, Rochester, Wilkes-Barre, Scranton, Fryburg, and Williamsport, all in the State of Pennsylvania, remonstrating against the establishment of a Department of Education, which was referred to the Committee on Education and Labor.

He also presented a petition of Local Division No. 583, Order of Railway Conductors, of Allentown, Pa., praying for Government ownership of cold-storage plants, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Local Division No. 583, Order of Railway Conductors, of Allentown, Pa., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

He also presented memorials of Local Division No. 3, Ancient Order of Hibernians, and of the Robert Emmet Monumental Association, of Sharon, and of the County Board of Mercer County, all in the State of Pennsylvania, remonstrating against the deportation of certain Hindus, which were referred to the Committee on Foreign Relations.

He also presented petitions of the Catholic Women's League of Pittsburgh; of Local Division No. 7, Ancient Order of Hibernians of Greensburg; and of sundry citizens of Charleroi, all in the State of Pennsylvania, praying for the independence of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Freeport, Pa., praying for the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

He also presented a memorial of the Catholic Women's League, of Pittsburgh, Pa., remonstrating against the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

LEAGUE OF NATIONS.

Mr. McLEAN. Mr. President, I ask to have printed in the Record two or three extracts from the report of the New England Baptist convention held in New York City last June.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the matter referred to was ordered to be printed in the Record, as follows:

THE 1919 STATE OF COUNTRY.

New England Baptist Convention, Forty-fifth Session, Abyssinian Baptist Church, New York City, June 10-16, 1919.

[By Rev. W. B. Reed, D. D., pastor Shiloh Baptist Church, Hartford, Conn.]

"The guns of the mighty have ceased their roaring, their forts are silenced, their navies gone, armies disorganized, and the people waiting for orders. The proud has been brought low, their genius outmatched by righteousness and much boasting turned into a terrible wailing; the captains are unhorsed, generals dispossessed, and the once flaming monarch is turned from his crusade of world power to loathsome quarters in a foreign land. The armies of our allies with untold hardships backed up with a willing sacrifice of the people got the victory, and from pools of mingled blood triumph has been written in

history. We, in this, the forty-fifth annual session of our convention, rejoice with the rest of mankind over the victory of our armies and the triumph of a sacred cause. Any cause charged with complete liberties and rights of the weak is sacred. For this cause men sacrificed and died. For this cause the Nation bowed to self-denial and official strictures not known to our generation. The battle has been fought, the victory won. What will the verdict of the statesmen be? Will they twist the verdict of battle? Will they spend months in Paris, living in greatest luxury, debating things for which we never fought? These things have terrible meanings to the 14,000,000 of colored people in these United States of America.

"There is a restlessness everywhere. The human race is moving like the rocking oceans, and no earthly power vest with authority to say peace be still. They talk peace but there is no peace. Why all this world-wide commotion and threatenings? Why do we see such an angry look upon the world, and seemingly one man is not willing to trust the other? Why does one untangling make a double tangling elsewhere? These are pertinent questions and must be wisely answered. It is plainly the cause of uncertain afterwar problems, and distressed prophecies concerning the mushroom league of nations.

"It must be admitted that these causes of unrest have no respect of country, community, home, or person. The natural consequences of the unrest disturb the mind of every citizen. As none were allowed to escape the responsibilities of war, and all must help in carrying the burdens of reconstruction, all should be fairly and equally considered in the weighing of public sentiment. A government of the people can not be supplanted by a government of autocracy without an uprising—no; not even a manufactured league of nations.

HAS A WORLD DEMOCRACY BEEN WON?

"Victory has been won on the battle fields; the defeated enemy has made a most humiliating surrender; the last of our soldiers will soon tread upon home soil with the Nation's acknowledgment of well done. But world or home democracy is not yet.

"In the breaking down of this world democracy we must look to the new Congress to save our national democracy. We find as many frills and high-sounding phrases wrapped around this league of nations as we found about the White House democracy, but wait until it gets a little airing, and it will be found like a cup mentioned in the gospels: 'Clean outside, but within full of extortion.' Will Congress stand firm on our rock of self-determination or will Congress go skating on thin ice? Shall we barter our birthright born of eight years of warfare to restick our necks under foreign yokes? Or shall we remain a free people, maintain our independence, steer clear of entangling alliances with the Old World and at least lay claim to a democracy at home?

"We believe that that wisdom in Congress that has made our country great, rich, and powerful, will guide the Nation aright in this hour of test and trial. Though theorists may fail in preachments of world democracy, trained and patriotic statesmen will practice at home what they teach abroad, for charity begins at home."

Mr. CALDER. Mr. President, the North American Review for November contains an article by that eminent statesman and diplomat, Hon. David Jayne Hill, entitled "The President's Attack on the Senate." It portrays the events from the date of the President's address to Congress setting forth his terms of peace down to this very hour with such accuracy that I am impelled to request the consent of the Senate that it may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S ATTACK ON THE SENATE.

[By David Jayne Hill.]

"A year has passed since Germany, abandoned by her allies, beaten and broken, sued for an armistice, in the hope of negotiating peace on terms which had been proposed by the President of the United States.

"Strict compliance with those terms, if construed as Germany expected them to be construed, would have admitted her to the peace conference after the Kaiser's abdication as a negotiator in her own right, and entitled to equal membership in 'a general association of nations' to be formed for the purpose of affording to her, as to other States, 'mutual guarantees of political independence and territorial integrity.'

"In the United States there arose a loud protest against treating Germany, even under a democratic disguise, as a power entitled to negotiate peace upon equal terms with those she had attacked. It was believed, and it has since been established beyond the possibility of doubt, that Germany sought peace only

because she was incapable of further military action; that the armistice should be granted only after unconditional surrender; and that a severe punitive peace should be imposed upon a nation that had broken its solemn pledges, assaulted its neighbors without provocation, and violated ruthlessly the laws of war.

"While accepting the President's 14 rubrics of peace as a nominal but essentially indefinite basis of peace making, the Entente Allies, believing that the military situation should be more controlling than any theory of peace, drew the terms of the armistice in a manner that compelled the German forces to confess the military impotence to which they had been reduced. To all who were familiar with the European situation it was at once evident that the definitive formulation of the terms of peace at Paris would proceed upon the basis of fact evidenced by the armistice, and not at all in conformity with the President's plan of a peace without victory embodied in the 14 points.

"The President himself, although but vaguely aware of the obstacles to be overcome in evolving out of the situation a peaceful Europe, was convinced that nothing short of American participation in the peace settlement could maintain the authority of the 14 points. Given the part the United States had taken, under the spontaneous inspiration of the people, in bringing the war to a successful termination, and the importance to the Entente Allies of continued American aid, he believed that if he could centralize in his own hands the whole force and influence of America he could practically dictate the process of peace making at Paris and thus be able to direct the future of Europe and of the world.

"That the action the President had in view was, to his mind, in the interest of permanent peace, no fair-minded man, I believe, can reasonably doubt. He was, it may be conceded, actuated by a desire to achieve what he considered an incalculable human benefit. But in the execution of his purpose he trusted neither Europe nor America. His obsession was that he, and he only, could accomplish the result. It was not to be obtained by argument, by discussion, or by any other means than action. He alone could bring to bear the motives and exert the influence which would constrain the otherwise refractory powers to accept conditions which would achieve universal and perpetual peace. The pacific aspirations of the liberated peoples, the methods of democracy, and the lessons of the war were not, he thought, of themselves to be counted on to produce the desired result. No general discussion would be profitable. No public exchange of views was necessary. Only one course was practicable. This was for him personally to go to Europe and personally to control the negotiations. To accomplish this it was, however, important that he should be in a position to claim complete and undivided authority, in the name of the United States, to grant or to withhold whatever concession, aid, or influence might be found necessary to induce compliance with his proposals. This monopoly of power, he believed, he would not possess unless the constitutional provisions for treaty making were rendered inapplicable by his control of his partner, the Senate, in the treaty-making process. If it could be made apparent that he, as President, alone represented the united will and resources of the American people; if a Congress could be elected composed of persons belonging to his own political party and controlled by him, then it would be understood in Europe and would have to be admitted at home that the President, singly and alone, possessed a mandate to express the will of the American people and to act without restriction on their behalf.

"What I wish at this point to emphasize is that, while claiming to repudiate the methods of the old diplomacy—that is, of pressure and bargaining—it was upon precisely this procedure that the President meant to rely. The Entente Allies, who had with American assistance completely vanquished Germany, were to surrender a part of their victory in the interest of future peace. A reformed and democratized Germany was to be received in good faith, after certain renunciations, into the general association of nations, and the Entente Allies were to make in their turn certain renunciations as the basis of peace and good understanding; such, for example, as the surrender of Great Britain's claim to maritime supremacy, which the President thought was a contradiction of the 'freedom of the seas,' and the inclusion of Germany in the league for mutual protection, which, however offensive to France after the treatment she had received from Germany, would secure to her the protection of the league.

"It was, of course, understood by the President that the Entente Allies would not be inclined to make these renunciations voluntarily; and that, in order to secure them, strong pressure must be exerted. This could be done only in case the influence of America were brought to bear upon them in such a

manner as to make it clear that her continued support could not be expected unless these renunciations were conceded. In brief, the United States, the President thought, by exerting its influence as the holder of the balance of power, could produce a situation in Europe which would control the decisions of all the nations, and thus enable peace to be organized upon a permanent basis.

"The theory was superficially plausible. The victors in the war, without America's support, were at the time of the armistice little better off than the vanquished. The opportunity for control seemed great. History did not record an occasion for diplomacy more attractive to a lover of power, who could so readily answer every suggestion of personal ambition by pointing to the glorious ideal of peace. No nation could resist the force of such an appeal. If governments opposed it, then it would be the end of governments. A new order would take their place, as it had already done in Russia.

"The chance for exercising the preponderant influence of the United States in forcing compliance with the 14 points was imperiled by the possibility of Germany's unconditional surrender. If that happened, the victory of the Entente Allies would be so complete that no compromise would be possible. The victors would themselves in that case dictate a punitive peace, and the occasion for enforcing upon them any plan by diplomatic pressure would have passed.

"The negotiations for an armistice, therefore, presented a delicate situation. In the United States there was a strong demand for unconditional surrender, but the President did not desire that. On October 23, 1918, he had succeeded in preventing it. On that day the Secretary of State addressed the following note to a defeated Germany:

"Having received the solemn and explicit assurance of the German Government that it unreservedly accepts the terms of peace laid down in his address to the Congress of the United States on the 8th of January, 1918, and the principles of settlement enunciated in his subsequent addresses, particularly the address of the 27th of September, and that it desires to discuss the details of their application and that this wish and purpose emanate not from those who have hitherto dictated German policy and conducted the present war on Germany's behalf, but from ministers who speak for the majority of the Reichstag and for an overwhelming majority of the German people; * * * the President of the United States feels that he can not decline to take up with the Governments with which the Government of the United States is associated the question of an armistice.

"Before the proposal of an armistice had been formally submitted to the Entente the President's 14 rubrics of peace had been thus accepted by Germany. They were the pivot upon which the question of an armistice had been made to turn. Whatever the terms of the armistice itself, even though involving an absolute surrender, there was thus imposed one condition that affected the process of negotiating peace—the President's influence in the peace conference, as interpreter of his proposals, had been secured. It was only a question of a little time when the great diplomatic opportunity would be ripe, and immediate preparation to utilize it was undertaken.

"The near approach of a congressional election gave the President an opportunity to inquire of the people whether or not they wished to give him carte blanche at the coming peace conference. A fair way to ascertain their disposition in this regard would have been to propose some policy in definite terms and to ask the electors to vote upon it on the 5th of November. But the President did not desire an expression of the people's will regarding a league of nations or any other particular policy. What he desired was that he should ostensibly be authorized to act in any way he might deem fit, without responsibility to anyone, and especially without being obliged to subject his personal plans to the advice and consent of a Senate which he could not as a party leader confidently control. Two days after the question of an armistice was virtually settled, therefore, the President took the unprecedented step of issuing the following 'appeal to the electorate for political support':

"If you have approved of my leadership and wish me to continue to be your unembarrassed spokesman in affairs at home and abroad, I earnestly beg that you will express yourselves unmistakably to that effect by returning a Democratic majority to both the Senate and the House of Representatives. I am your servant, and will accept your judgment without cavil, but my power to administer the great trust assigned me by the Constitution would be seriously impaired should your judgment be adverse, and I must frankly tell you so because so many critical issues depend upon your verdict. No scruple of taste must in grim times like these stand in the way of speaking the plain truth.

"By large majorities the electors of the United States gave their answer. If being an 'unembarrassed spokesman' depended upon this response, the President's aspiration for unlimited control of 'affairs at home and abroad' was denied by the election of a Republican majority in both Houses of Congress. Without impairing in the slightest degree his power to administer the great trust assigned to him by the Constitution, the voters openly and emphatically refused to grant him the

extraconstitutional power he had demanded, and in effect impressively reminded him that a strict fulfillment of his duty to observe the requirements of the Constitution was what they desired and expected of him. For the purposes of prosecuting the war both parties had supported him loyally. The opposition party, though constantly reproached because it was not 'proadministration,' had united in giving him grants of power unprecedented in our history, and, in fact, exceeding those accorded to the head of any other Government engaged in the war. They had made the President almost a dictator.

"How fully he realized his dictatorship was evidenced by the startling self-confidence with which the President stated the issue.

"The return of a Republican majority to either House of Congress would, moreover—

"He declared—

be interpretative on the other side of the water as a repudiation of my leadership. It is well understood there as well as here that Republican leaders desire not so much to support the President as to control him. * * * They would find it very difficult to believe that the voters of the United States had chosen to support their President by electing to the Congress a majority controlled by those who are not, in fact, in sympathy with the attitude and action of the administration.

"Having decided to demand this test, it was reasonable to suppose that the President meant to abide by it. But he did not do so, either before or after the election. Before the election he endeavored personally to influence the result by preventing the choice of Senators whom he feared he could not control, even though they were Democrats, and by urging the choice of others—statesmen of the type of Henry Ford, for example—whom he believed he could control, although they were nominally Republicans; and after the election he assumed that, all the same, he was still an 'unembarrassed spokesman,' although, by his own test, his leadership had been plainly repudiated. The whole world then knew with what it had to deal. In England, where statesmanship is largely governed by the rules of honorable sport, every sportsman understood that the rules of the game were of small importance to Mr. Wilson, and that if he could not really win he would not be averse to maintaining that he had not actually lost. Whatever happened, he could be satisfied, so long as any chance was left open to make it appear that he had somehow won. From that moment the course to be pursued at Paris by Great Britain became clear. The 'constitution of the league of nations' would be written by Gen. Smuts, and the President of the United States would accept it as what he came to Europe to obtain.

"One other matter also was made clear. Mr. Wilson did not really believe in democracy. When it served him he approved of it, but when it denied him what he wanted he tried to outwit it. In temperament he was an imperialist. He wanted to enforce peace upon his own terms. He should be shown that peace could not be enforced without the sea power of Great Britain. If this supremacy was incidentally employed to promote the special interests of the British Empire, that did not diminish its value as a means to enforce peace. Democracy, alone and unaided, seldom enforced anything, and it was only an imperialized democracy that could enforce its will. Trading with Mr. Wilson would, therefore, be easy. America had not authorized him to issue any ultimatum. He would undoubtedly take what he could get; and it was forthwith resolved that Great Britain would give up nothing and forego nothing that implied a limitation of her imperial policies.

"That the President openly repudiated democracy when he declined to accept the result of the test to which he had in a moment of arrogance unwisely subjected himself was well understood by all who at the time reflected upon his action, and to many it occasioned no surprise. He had, in fact, ceased to be a democrat. He had more than once shown his contempt for that 'common counsel' which in his first electoral campaign he had emphasized as democracy's preeminent attribute. He had become a convert to the idea of the omnipotent administrative State and the uncontrolled predominance of its head. In combating the Kaiser the President had been permitted to exercise powers which the German Emperor had never even claimed. This had been necessary, because a war lord, to be successful, must possess all the war powers; and these had been freely conferred upon him. Suddenly he found himself face to face with the problems of peace, but failed to remember that democracy has no place for a peace lord.

"Not being able to obtain the control of Congress, which he had demanded, he resolved simply to ignore the Senate, which it was his constitutional duty to consider as a partner in the process of treaty making. The method of exhibiting this disregard he had long before worked out—the only writer, I believe, who had distinctly envisaged as possible a deliberate dis-

regard of constitutional duty, which he had suggested might be evaded even when an obligation to perform it could not be denied.

"The passages in the President's Congressional Government here referred to have been frequently cited, but all their implications have not, I think, been fully realized. His comments are as follows:

"The greatest consultative privilege of the Senate—the greatest in dignity, at least, if not in effect, upon the interests of the country—is its right to a ruling voice in the ratification of treaties with foreign powers.

"The President really has no voice at all in the conclusions of the Senate with reference to his diplomatic transactions, or with reference to any of the matters upon which he consults it.

"He is made to approach that body as a servant conferring with his master, and, of course, deferring to that master. His only power of compelling compliance on the part of the Senate lies in his initiative in negotiation, which affords him a chance to get the country into such scrapes, so pledged in the view of the world to certain courses of action, that the Senate hesitates to bring about the appearance of dishonor which would follow its refusal to ratify the rash promises or to support the indiscreet threats of the Department of State.

"The last paragraph of this citation speaks for itself. Although constitutionally bound, it declares, under his oath of office, to respect the prerogative of the Senate in offering its advice and withholding its consent in the making of treaties, the President may, nevertheless, 'compel compliance' with his own views and engagements 'by getting the country into such scrapes,' or 'so pledged in the view of the world' that the Senate would hesitate to bring about an appearance of dishonor by refusing to approve of the action of the Executive.

"Did the President deliberately resort to this method when, in December, 1918, he went to Europe to form a league of nations?

"If he had intended to pledge the country, in the view of the world, to certain courses of action which the Senate would hesitate either to ratify or to oppose, he could not have pursued a course better adapted to produce this effect than the one he adopted. Neither the Senate nor, so far as is known, the President's own Cabinet knew precisely what he intended to do. There are those who contend that he did not know himself. The one thing certain is that he did not intend to seek any advice from the Senate, either by previous conference regarding the difficult problems of the peace settlement, or through the presence at Paris of one of its Members in the peace commission. Having opposed the selection of Senators by the free will of the electorate in order that he might be an 'unembarrassed spokesman in affairs at home and abroad,' the President announced to the Congress in his parting message of December 2, 1918:

"I welcome this occasion to announce my purpose to join in Paris the representatives of the Governments with which we have been associated in the war against the Central Empires for the purpose of discussing with them the main features of the treaty of peace. I realize the great inconvenience that will attend my leaving the country, particularly at this time, but the conclusion that it was my paramount duty to go has been forced upon me by considerations which I hope will seem as conclusive to you as they have seemed to me. The Allied Governments have accepted the bases of peace which I outlined to the Congress on the 8th of January last, as the Central Empires also have, and very reasonably desire my personal counsel in their interpretation and application, and it is highly desirable that I should give it in order that the sincere desire of our Government to contribute without selfish purpose of any kind to settlements that will be of common benefit to all the nations concerned may be made fully manifest.

"There was here no request for the Senate's approval either of the purpose of the President to leave the country and personally conduct the negotiations at Paris or of the commissioners selected to accompany him. The cables and the wireless, then just taken over by the Government and under its control, would be available, he said, 'for any counsel or service you may desire of me'; but it was not intimated that they would be available for any advice or suggestions to him on the part of the Senate, no Member of which was invited to join the mission. The President plainly intended to present the Senate with a fait accompli.

"There was much that was unusual in this procedure. The retinue of the mission, it is reported, contained more than thirteen hundred persons, of varied but undefined attainments in history, geography, ethnology, cartography, publicity, finance, and the cryptic arts of suppressing and censoring news, not one of whom enjoyed the honor of having his name sent to the Senate for the confirmation of his appointment, although the aim of the expedition was so momentous a task as the reorganization of the world. Experience in international business, in so far as it was represented, was conspicuously subordinated to inexperience. Radical journalism was conspicuously honored. If 'advisers' were present, it was apparently not for their 'advice' that they were enrolled in this formidable phalanx engaged in the reconstruction of Europe. There was,

however, an abundance of atmosphere for the creation and transmission of 'voices in the air.'

"No plenipotentiary of any country had ever been accompanied by such an apparatus for the making of peace. Bound by no instructions, restrained by no power of review, or recognized control at home, the President was, as he assumed, 'acting in his own name and by his own proper authority.' Constitutionally, he had a partner in the solemn process of treaty making, 'by and with' whose 'advice and consent' he was required to act by the same charter of government from which his own proper authority was derived; but this was of little importance to those with whom he was to negotiate, since no one could challenge his representative character.

"The President's most loyal admirers and supporters had questioned not only the wisdom but even the legality of his leaving the country for a considerable period of time, in the midst of the serious domestic problems that were looming up before the country; and great journals devoted to himself and to his policies urged him not to absent himself from Washington at such a critical juncture. It was pointed out that it was of the utmost importance for the President to keep in close touch with the sentiment of the country as the various steps in the process of peacemaking would be brought under discussion and public opinion would take on sharper definition. Friendly attention also was called to the fact that, if 'open covenants' were to be 'openly arrived at,' it would be wise for the American commissioners to receive written instructions in order that they might be held accountable for their conduct; and it was made plain that it would lay the President open to a subsequent charge of practicing secret diplomacy if, without intermediaries or public records as a refutation of such insinuations, he personally should undertake by oral communication with foreign negotiators to consummate transactions involving the give and take of diplomatic bargaining. It should never be possible, it was maintained, that the President's course could thus be made a source of future embarrassment to him or to his country. His aims should be so clear and constant, and so supported by the utmost possible evidence of concurrent approval by his own countrymen qualified to judge of such matters, that the country would present a united front. Happily, the means of avoiding future controversy were well known and already established in the traditional usages and safeguards of American constitutional practice in the conduct of foreign affairs.

"While it was true that the American people were divided as regards their confidence in the President's personal judgment concerning international matters, in which he had so frequently failed to grasp the purport of current events, there was nowhere, I think, a disposition to impede in any manner the making of a speedy and a just peace, and it was universally recognized that responsibility for this would be largely his. The general thought of the Nation was that the time had come to punish Germany for her crimes, to render impossible a repetition of them in the future by immediately destroying militarism, to open thereby a prospect of future peace with justice to all nations, and to get back as soon as possible to normal life under the constitution and the law of nations. If the expression 'league of nations' meant that—and many thought it did—then a league of nations was desired. If it meant new wars, the suppression of self-determination by the small States, the centralization of power in a few great nations, a secret trusteeship of others acting nominally for the general good but in reality for their own aggrandizement and permanent control by internal bargaining; in short, if it meant any form of imperialism, however disguised, and above all if national independence was in any way to be surrendered, these were not the objects for which the war had been fought, and that kind of a league was not desired. Nor was it a common opinion that America's part in the war or responsibility for the future of Europe were of such proportions as to entitle the United States to dictate the terms of peace. The nations that had suffered most should take the lead in determining the kind of future that would give them the best security. The American people were disposed to help them, and above all to be loyal to them, in seeing that the common enemy should not after all be triumphant in the terms of peace or afterwards.

"When, therefore, Mr. Wilson began his visits and speech making in Europe, pleasure was at first experienced in America in witnessing the honor shown to the President of the United States, and in the fact that he was so well received in the allied countries. His speech in response to the greeting of President Poincaré, at Paris, on December 14, 1918, was admirable, and expressed with eloquence and propriety the sentiments of the American people. In subsequent addresses high and noble sentiments were expressed, but it was evident to observing minds

that these public speeches had the tendency and were apparently designed to weaken the faith of the people in their own past and to suggest a new leadership, which Mr. Wilson himself might supply; and this was rendered still clearer when, after his return to America, he said: 'When I speak of the nations of the world, I do not speak of the governments of the world. I speak of the peoples who constitute the nations of the world. They are in the saddle and they are going to see to it that if their present governments do not do their will some other governments shall. And the secret is out and the present governments know it.'

"The really dangerous character of the influence thus exercised was that Mr. Wilson held out hopes which were not capable of being realized, and represented a state of things that did not exist. The nations were, in fact, very far from that 'communion of ideals,' 'unity of command,' and 'common understanding' which the President attributed to them. What the people really needed was the truth, and not 'visions on the horizon.'

"I do not mean to imply that the President was not sincere in all he said in those speeches. No one can read them without feeling their moral fervor. Therein lay the danger they created. They awakened hope which neither the Governments nor the people themselves were able to fulfill. Europe was nervous, hungry, excited, impoverished, and full of jealousies. Mr. Wilson's gospel was a creed regarding a world to come. It had all the potency for stirring the emotions, and therein concealed all the perils, of a religious revival. Many thought the Messiah had come. But suppose the trading in the temple should go on unhindered! 'The Socialist journalists in France who then hailed him'—as an English writer puts it—'as "he who should have redeemed Israel," are now venting their disappointment in unmeasured language, and speaking of him as "the great vanquished" and "the fallacious hope of a day."'

"On February 14, 1919, the 'constitution of the league of nations' was promulgated at Paris, the work of five great powers sitting in secret as a supreme council. This document was read to the representatives of 14 nations and then published as approved by them. It was praised by Mr. Wilson in the plenary session of the conference, and received in the United States as if it were the President's personal triumph.

"A few words will serve to recall the incidents attending the reception and discussion of this document in the United States. The President had sent word that until his arrival it should not be discussed. On February 24 he landed at Boston and an address by him was announced. Two important facts had by that time been brought to public attention: First, that the conference at Paris had constituted a new corporate entity possessing important powers and organs of power, under the control of five of the greater Governments; and, second, that nothing had so far been done to make peace with Germany or to punish her crimes. The situation required explanation, and the President's address was looked forward to with deep and widespread interest.

"Either, it was thought, he would avail himself of this earliest opportunity to present to the American people a clear exposition of the meaning and purpose of this new 'constitution,' or he would postpone all reference to it until he had conferred with the Senate at Washington. To the surprise of everyone the President took this occasion to express his personal resentment of any criticism of this 'constitution,' declared that he possessed 'fighting blood,' and would consider it an 'indulgence to let it have scope.' He then proceeded to denounce all the critics of the league as wishing to have America 'keep her power for those narrow, selfish, provincial purposes which seem so dear to some minds that have no sweep beyond the nearest horizon.'

"It was perceived at once that the President meant to impose this 'constitution' upon the country, in spite of what the Senate might have to say about it. A conference with the Committee on Foreign Relations occurred at the White House, which brought out the fact of general opposition by the Senate. This 'constitution,' it was declared, was in conflict with the Constitution of the United States, inasmuch as it created a supergovernment, automatically made the peace of the United States contingent upon the acts of other nations bringing into operation certain obligations, which included the war-making power conferred upon Congress, and created a permanent alliance with a group of nations who proposed to control the world in the name of peace.

"It is needless here to enter into the discussion of this subject, which has been amply considered in this Review, or to repeat the terms of opprobrium and contempt, both privately and publicly expressed, applied to the Senators who refused to fall down and worship this image, and were even presuming to

call attention to its feet of clay, some of the most contemptuous of these denunciations emanating from the President himself. On March 3 a resolution was signed by 39 Senators, referring to the article of the Constitution which renders necessary to the ratification of a treaty the advice and consent of the Senate. The resolution recalled the fact of the continued session of the conference at Paris before which the proposal of a league of nations was still pending, and alleged it to be the sense of the Senate that, while it is the sincere desire that the nations of the world should unite to promote peace and general disarmament, the 'constitution of the league of nations' in the form proposed by the peace conference should not be accepted by the United States. The resolution further expressed the sense of the Senate that the negotiation of peace terms with Germany should be pressed with the utmost expedition, and that the proposal for a league of nations to insure the permanent peace of the world should then be taken up for careful and serious consideration. On the following day, March 4, in a speech delivered in New York immediately before his return to Paris, the President in reply flung down his challenge in the words:

"When that treaty comes back, gentlemen on this side will find the covenant not only in it but so many threads of the treaty tied to the covenant that you can not dissect the covenant from the treaty without destroying the whole vital structure.

"The attempts to secure certain amendments to the 'constitution of the league of nations,' as presented in February, have been fully discussed in a previous number of this Review. It is well known that they were only partially successful, and neither removed the objections to the original draft nor embodied the internationalists' ideals which have long been current in the United States. When, therefore, the final form of the so-called 'covenant' was sent to this country on April 28, the word 'constitution' having been dropped, the 'executive council' having become simply the 'council' and the 'body of delegates' the 'assembly'—superficial changes which were meant to remove or obscure the power of the league as a corporate entity or international voting trust—it was even clearer than before that the design had been to create an instrument of power rather than an institution of justice.

"Although upon the President's return to Paris in March the work of the conference had so far advanced that a provisional treaty of peace with Germany was reported as almost complete, he carried into execution his purpose to interweave the covenant and the treaty of peace in an inextricable manner by making the former the first article of the latter, and the ostensible agent for its enforcement. The covenant, though published separately, was to constitute the first article of the treaty of Versailles. The league of nations, which was to have been a 'general association of nations' or a complete society of States, was thus converted into an alliance between a group of powers established to enforce the treaty of peace. The organ of universal peace and conciliation had become a confessed instrument of undefined punishment.

"Although the treaty of Versailles in its entirety was long withheld from the Senate, the campaign for the adoption of the league of nations went steadily on. No one knew or could discover to what precise obligations the treaty of Versailles and other subsidiary treaties would bind the members of the league. They were, however, to be blindly accepted. When, at last, although it had long been published and on public sale in Europe, a copy could be obtained only privately from financiers in New York, and was thus laid before the Senate, it was ascertained that it was to 'the allied and associated powers,' and not to the league, that Germany made her concessions; yet the league was bound to preserve to the beneficiaries of the treaty all the unknown territorial accessions assigned to them as well as the territorial integrity of all the surviving empires.

"It was a reasonable proposition that the Senate, before giving its advice and consent, should separate the two disparate documents, the covenant of the league of nations and the treaty with Germany. The President and his supporters in the Senate refused to permit this. They demanded the immediate ratification of the whole commitment, without amendment or reservation; or, as the President's supporters insisted, 'without the dotting of an i or the crossing of a t.'

"This demand, considered merely as a partisan attitude, may have been defensible; but the attempt to enforce it by assailing or undermining the constitutional prerogative of the Senate is another matter. Having failed in numerous private conversations and in a public conference to convince a sufficient number of Senators that they should yield to the President's demand, he personally took the field and proceeded to an open, violent, and bitterly vituperative attack upon the Senate as a means of carrying his point.

"In pressing the necessity for immediate peace and the impossibility of reopening any question in the peace conference—although still in session and transacting business—the President was merely bringing to an issue his theory that it lies in the power of the Executive to create a situation so embarrassing to the Senate that it may be forced to surrender its constitutional right and fall in the free performance of its duty.

"This issue should be squarely met, and its far-reaching implications should be made plain. It is, in fact, one of many efforts to break down constitutional government and by direct action to concentrate power in the hands of the Executive.

"In his denunciation of the Senate as a perverse and refractory body, the President has declared that he represents a cause 'greater than the Senate and greater than the Government.' He might with equal consistency and decency say upon another occasion that he represents a cause greater than the law. The cause he is contending for is this particular unmodified league of nations, which is not at all the 'general association' which he commended and desired. This league, he proclaims, is of greater importance than the Government of the United States, which it may, therefore, if this be true, at any time properly subordinate and overrule.

"It is against the reservations which the Senate would offer as a bar to this subordination that the President raises his voice of protest. If these reservations do not really modify the obligations incurred, why should he object to including them in the act of ratification? If, on the contrary, this subordination of American independence might occur without them, how can the Senators honorably ratify the covenant of the league without these reservations? Yet, as a last act of intimidation, in order to force upon the Senate the acceptance of the entire treaty without change, the President has stated that after the Senate has acted it would be entirely in his own hands to issue or withhold the act of ratification, thus intimating that if it did not please him in its final form he could defeat it altogether. The attitude of the President, therefore, is that at no time shall the Senate be permitted freely to perform its constitutional duty, which is equivalent to saying that one man can absolutely determine the future destiny of the United States."

MEAT-PACKING INDUSTRY.

Mr. SMITH of Georgia. I present a resolution passed by the Atlanta Wholesale Grocers' Association, at Atlanta, Ga., October 2, 1919, indorsing the Kenyon-Kendrick Lills, which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Whereas we realize a constant falling off in our volume of business, especially in the more profitable lines, such as canned vegetables, canned fruit, canned salmon, rice, cereals, and cheese, which decline in volume is due to the competition of the big Chicago meat packers; and

Whereas the competition of these meat packers is only effective because of the special advantages which they enjoy in the way of preferential railway transportation for their private refrigerator cars, which, while containing nonperishable grocery products, are moved more quickly and regularly by the railways than the cars which we can use, and is not based upon economic efficiency; and Whereas the Kenyon-Kendrick bills now before the Senate Committee on Agriculture and Forestry propose to regulate the business of the meat packers to the extent that their private refrigerator cars will be put on a common-carrier basis, thus taking away their special shipping privileges: Now, be it therefore

Resolved, That we indorse the Kenyon-Kendrick bills and urge the quick enactment into law of the principle which they embody.

THE EGYPTIAN QUESTION.

Mr. OWEN. Mr. President, some days ago, October 15, I introduced a resolution bearing on the treaty of peace with Germany. I ask to have inserted in the RECORD a memorandum of a letter from King George to the Sultan of Egypt, which I will not take the time to read, together with a cablegram to Mahmoud Pasha from Mahmoud Soliman Pasha, which I shall not take the time to read, bearing upon the same question, together with some data submitted by the Egyptian delegation here, which I ask, without reading, to have also printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"Resolved, That the United States in ratifying the covenant of the league of nations does not intend to be understood as modifying in any degree the obligations entered into by the United States and the Entente Allies in the agreement of November 5, 1918, upon which as a basis the German Empire laid down its arms. The United States regards that contract to carry out the principles set forth by the President of the United States on January 8, 1917, and in subsequent addresses, as a world agreement, binding on the great nations which entered

into it, and that the principles there set forth will be carried out in due time through the mechanism provided in the covenant, and that article 23, paragraph (b), pledging the members of the league to undertake to secure just treatment of the native inhabitants under their control, involves a pledge to carry out these principles.

"The protectorate which Germany recognizes in Great Britain over Egypt is understood to be merely a means through which the nominal suzerainty of Turkey over Egypt shall be transferred to the Egyptian people and shall not be construed as a recognition by the United States in Great Britain of any sovereign rights over the Egyptian people or as depriving the people of Egypt of any of their rights of self-government.

"On November 6, 1918, Secretary of State Lansing published the following to the world:

"From the Secretary of State to the Minister of Switzerland, in charge of German interests in the United States.

"DEPARTMENT OF STATE,

"November 5, 1918.

"SIR: I have the honor to request you to transmit the following communication to the German Government:

"In my note of October 23, 1918, I advised you that the President had transmitted his correspondence with the German authorities to the Governments with which the Government of the United States is associated as a belligerent, with the suggestion that, if those Governments were disposed to effect peace upon the terms and principles indicated, their military advisers and the military advisers of the United States be asked to submit to the Governments associated against Germany the necessary terms of such armistice as would fully protect the interests of the peoples involved and insure to the associated Governments the unrestricted power to safeguard and enforce the details of the peace to which the German Government had agreed, provided they deemed such an armistice possible from the military point of view.

"The President is now in receipt of a memorandum of observations by the allied Governments on this correspondence, which is as follows:

"The allied Governments have given careful consideration to the correspondence which has passed between the President of the United States and the German Government. Subject to the qualifications which follow, they declare their willingness to make peace with the Government of Germany on the terms of peace laid down in the President's address to Congress of January, 1918, and the principles of settlement enunciated in his subsequent addresses. They must point out, however, that clause 2, relating to what is usually described as the freedom of the seas, is open to various interpretations, some of which they could not accept. They must, therefore, reserve to themselves complete freedom on this subject when they enter the peace conference.

"Further, in the conditions of peace laid down in his address to Congress of January 8, 1918, the President declared that invaded territories must be restored as well as evacuated and freed, and the allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air."

"I am instructed by the President to say that he is in agreement with the interpretation set forth in the last paragraph of the memorandum above quoted. I am further instructed by the President to request you to notify the German Government that Marshal Foch has been authorized by the Government of the United States and the Allied Governments to receive properly accredited representatives of the German Government, and to communicate to them the terms of the armistice.

"Accept, sir, with renewed assurances of my highest consideration.

"(Signed) ROBERT LANSING."

"Among other things the President, on January 8, 1918, in his address to Congress said:

"We entered this war because violations of right had occurred which touched us to the quick and made the life of our own people impossible unless they were corrected and the world secured once for all against their recurrence. What we demand in this war, therefore, is nothing peculiar to ourselves. It is that the world be made fit and safe to live in; and particularly that it be made safe for every peace-loving nation which, like our own, wishes to live its own life, determine its

own institutions, be assured of justice and fair dealing by the other peoples of the world as against force and selfish aggression. All the peoples of the world are in effect partners in this interest, and for our own part we see very clearly that unless justice be done to others it will not be done to us. The program of the world's peace, therefore, is our program; and that program, the only possible program, as we see it, is this:

"I. Open covenants of peace, openly arrived at, after which there shall be no private international understandings, of any kind but diplomacy shall proceed always frankly and in the public view.

"II. Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

"III. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

"IV. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

"V. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the Government whose title is to be determined.

"VI. The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

"VII. Belgium, the whole world will agree, must be evacuated and restored, without any attempt to limit the sovereignty which she enjoys in common with all other free nations. No other single act will serve as this will serve to restore confidence among the nations in the laws which they have themselves set and determined for the government of their relations with one another. Without this healing act the whole structure and validity of international law is forever impaired.

"VIII. All French territory should be freed and the invaded portions restored, and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine, which has unsettled the peace of the world for nearly 50 years, should be righted, in order that peace may once more be made secure in the interest of all.

"IX. A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality.

"X. The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

"XI. Roumania, Serbia, and Montenegro should be evacuated; occupied territories restored; Serbia accorded free and secure access to the sea; and the relations of the several Balkan States to one another determined by friendly counsel along historically established lines of allegiance and nationality; and international guarantees of the political and economic independence and territorial integrity of the several Balkan States should be entered into.

"XII. The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development, and the Dardanelles should be permanently opened as a free passage to the ships and commerce of all nations under international guarantees.

"XIII. An independent Polish State should be erected which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

"XIV. A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small States alike."

[Letter from King George to the Sultan of Egypt, published in London Times December 21, 1914.]

"* * * I feel convinced that you will be able, with the cooperation of your ministers and of the protectorate of Great Britain, to overcome all influences which are seeking to destroy the independence of Egypt * * *."

[Cablegram to Mahmoud Pasha, Shoreham Hotel, from Mahmoud Soltan Pasha.]

"In an interview with Cairo newspapers on the 22d instant Rushdi Pasha—who was prime minister when the Khedive was dethroned by England and a Sultan appointed, and continued throughout the war as prime minister of Egypt and resigned toward the end of May last—declared that he never consented to the "protectorate" of Great Britain over Egypt, except that it was temporary and a war measure, and that it would disappear when the Allies' victory was complete. He asked England to hear him and to hear the Egyptian nation duly represented by the Egyptian delegation. He adds that Egypt's aid to England during the war was immense, and that 1,200,000 Egyptians served on the allied side."

[Data submitted by Egyptian delegation.]
SHALL RIGHT OR MIGHT PREVAIL?

"Egypt is a country of immense wealth. It has millions of acres of agricultural land greater in value per acre and in producing power than any other country in the world. The seizure of Egypt by Great Britain adds to Britain's enormous possessions an area of 350,000 square miles and a population of 13,000,000 people. The value of the natural resources so seized is beyond computation.

"Egypt is one compact whole—one nation, one language. The character of the people, their conduct, their habits, their sympathies, and their inclinations are the same throughout that country. Because of geographic situation, however, Egypt has attracted the avarice of colonizing powers more, perhaps, than any other country in the world. In 1798 the French under Napoleon invaded Egypt. In 1801 the French were expelled from Egypt. In 1807 Great Britain attempted to invade Egypt, but was ejected by the Egyptian Army.

"Egypt continued to be a Turkish Province until 1831, when war broke out between Egypt and Turkey, and the Egyptian Army was victorious. Constantinople would have fallen to the Egyptians, but Great Britain and France interfered in order to preserve the balance of power and the Egyptians were compelled to give up the full fruits of their victories.

"By the treaty of London of 1840-41 Egypt became autonomous, subject only to an annual tribute to Turkey of about \$3,500,000. The Government of Egypt could maintain an army, contract loans, make commercial treaties, and enter into international agreements. For all practical purposes Egypt was independent and free.

"In 1882 Great Britain occupied Egypt ostensibly to protect the Khedive against the movement for popular government, and continued to occupy the country, against the protest of the Egyptians, under the pretext of protecting the people from the Khedive.

"The British Government from the time of occupation up to the beginning of the recent war promised to withdraw the British troops from Egypt. Gladstone, when prime minister, said, 'If one pledge can be more solemn and sacred than another, special sacredness in this case binds us to withdraw the British troops from Egypt.'

"Lord Salisbury, when prime minister in 1889, solemnly assured Egypt and the world that Egypt would never be placed under a British 'protectorate' or annexed by Great Britain.

"Great Britain had agreed by the treaty of London of 1840-41 to protect the autonomy of Egypt, and in the Anglo-French agreement of April 8, 1904, Great Britain declared that it had no intention of altering the political status of Egypt.

"After the beginning of the war, and on December 18, 1914, Great Britain deposed the Khedive and appointed a sultan of her own choosing to the throne of Egypt. On the same date Great Britain proclaimed the so-called protectorate over Egypt, announcing, however, at the same time that it was merely for the period of the war and only a step toward the independence of Egypt.

"King George, in a letter which was widely circulated throughout Egypt and which was published in the London Times of December 21, 1914, said:

"* * * I feel convinced that you will be able, with the cooperation of your ministers and the protection of Great Britain, to overcome all influences which are seeking to destroy the independence of Egypt, * * *."

"This change of status being announced at the time as a merely temporary war measure, was assumed by the Egyptians

to be such. The Egyptians with absolute unanimity took sides with the Allies and served to make, as they believed, the world safe for democracy and for the right of national self-determination in all peoples.

"When the armistice was signed the Egyptians rejoiced in the thought that the day of their deliverance had come, and that henceforth they would enjoy that right of national self-determination proclaimed by President Wilson. A commission was appointed by the Egyptian people to attend the peace conference, where their independence and sovereignty could be consecrated and acknowledged by the powers.

"In violation of its pledges of independence to the Egyptian people, and regardless of the fact that the Egyptian people had served and sacrificed in the allied cause, Great Britain arrested four of the leading citizens of Egypt, who had been selected by the Egyptian people to go to Paris, and these four were torn from their homes without warning and deported to Malta, where they were thrown into a military prison.

"When the Egyptian people learned of this act of perfidy on the part of Great Britain their indignation was intense. National self-determination demonstrations were held throughout Egypt. Great Britain answered these demonstrations for national self-determination, the principle for which Great Britain had ostensibly fought in the war, by firing machine guns into crowds of these peaceable and unarmed, liberty-seeking people, killing more than a thousand and wounding vastly more.

"Egyptians who dared to assert in public that Egypt should have the right of national self-determination were put in prison. The cry for liberty by an Egyptian was answered by British military punishment.

"If present conditions are permitted to continue, liberty is dead to Egypt, and the right of self-determination to all peoples, for which Americans believed they were fighting, has been made a hollow mockery.

"Gen. Allenby finally, by force of Egyptian public opinion, advised the British Government to permit the commission to proceed to Paris. When the commission reached Paris they asked for a hearing before the peace conference. This was denied them. They wrote to President Wilson and asked for a conference with him. Their appeals were in vain.

"Some days after the commission reached Paris the so-called protectorate of Great Britain over Egypt was 'recognized.' The holding of Egypt by Great Britain is not a protectorate in the legal sense of the word, but under guise of a protectorate Great Britain is holding Egypt to-day as a subject and conquered nation.

"The approval of this so-called protectorate would be accepted by the British Government as approval of the present holding of Egypt by Great Britain as spoils of war and would rivet the chains of subject slavery upon the Egyptian people.

"In a statement issued by the British Embassy at Washington, September 2, 1919, and which was published in the daily press, the embassy stated:

"Great Britain has carefully avoided destroying the sovereignty of Egypt."

"A few days later the British foreign office in London gave an interview to the International News Service, claiming to have succeeded to Turkish nominal suzerainty over Egypt. Great Britain is claiming both a protectorate and a sovereignty over Egypt at the same time.

"Great Britain is holding Egypt to-day not by right but by might of military force. Great Britain's seizure of Egypt is out of keeping with the world's new temper. Only by the exercise of the gospel of military force can the continued holding of Egypt by Great Britain be maintained. Only in violation of its sacred pledges and treaty obligations can Great Britain assert dominion over the people of Egypt.

"On November 10, 1914, Lloyd-George in a speech called the world to witness the utter selfishness of their part in the war. 'As the Lord liveth,' he declared, 'England does not want one yard of territory. We are in this war from motives of pure chivalry to guard the weak.' Shall Egypt be handed over to Great Britain in violation of the great principles for which Americans, Egyptians, and the Allies fought? How can it be justly said that Egypt is outside the realm of the principles of the 14 points and that Great Britain may deny the right of self-determination to Egypt?

"The Egyptian people are liberty loving and peaceful. They have not interfered with other nations and they ask now that Great Britain not be allowed to destroy the inalienable right of the Egyptian people to liberty, and the right to have their own government, controlled by their own people."

BRITISH PLEDGES.

"In May, 1882, a British fleet appeared before Alexandria. In June, 1882, a serious disturbance took place in Alexandria,

and a number of Europeans were killed. On July 11 and 12, 1882, Alexandria was bombarded by the British fleet and British soldiers began to occupy Egypt. Great Britain pledged the Egyptian Government and the world that this occupation would be only temporary. The solemn pledges to this effect made by England are evidenced by the following documents:

"1. Lord Granville's dispatch, November 4, 1881 (Egypt, No. 1 (1882), pp. 2, 3), said:

"The policy of Her Majesty's Government toward Egypt has no other aim than the prosperity of the country, and its full enjoyment of that liberty which it has obtained under successive firmans of the Sultan. * * * It can not be too clearly understood that England desires no partisan ministry in Egypt. In the opinion of Her Majesty's Government a partisan ministry founded on the support of a foreign power, or upon the personal influence of a foreign diplomatic agent, is neither calculated to be of service to the country it administers nor to that in whose interest it is supposed to be maintained."

"2. In the protocol signed by Lord Dufferin, together with the representatives of the five other great powers, June 25, 1882 (Egypt, No. 17 (1882), p. 33), it was provided:

"The Government represented by the undersigned engaged themselves, in any arrangement which may be made in consequence of their concerted action for the regulation of the affairs of Egypt, *not to seek any territorial advantage, nor any concession of any exclusive privilege, nor any commercial advantage for their subjects other than those which any other nation can equally obtain.* [Italics ours.]

"3. Sir Beauchamp Seymour, in a communication to Khedive Tewfik, Alexandria, July 26, 1882, published in the Official Journal of July 28, 1882, said:

"I, admiral commanding the British fleet, think it opportune to confirm without delay once more to Your Highness that the Government of Great Britain has *no intention of making the conquest of Egypt, nor of injuring in any way the religion and liberties of the Egyptians. It has for its sole object to protect Your Highness and the Egyptian people against rebels.* [Italics ours.]

"4. Sir Charles Dilke, in the House of Commons, July 25, 1882, said:

"It is the desire of Her Majesty's Government, after relieving Egypt from military tyranny, *to leave the people to manage their own affairs.* * * * We believe that it is better for the interests of their country, as well as for the interests of Egypt, that Egypt should be governed by liberal institutions rather than by a despotic rule. * * * We do not wish to impose on Egypt institutions of our own choice, but rather to leave the choice of Egypt, free. * * * It is the honorable duty of this country to be true to the principles of free institutions, which are our glory." [Italics ours.]

"5. The Right Hon. Mr. W. E. Gladstone, in the House of Commons, August 10, 1882, said:

"I can go so far as to answer the honorable gentleman when he asks me whether we contemplate an indefinite occupation of Egypt. *Undoubtedly of all things in the world, that is a thing which we are not going to do.* It would be absolutely at variance with all the principles and views of Her Majesty's Government, and the pledges they have given to Europe and with the views, I may say, of Europe itself." [Italics ours.]

"6. Lord Dufferin's dispatch, December 19, 1882, Egypt No. 2 (1883), page 30, stated:

"In talking to the various persons who have made inquiries as to my views on the Egyptian question I have stated that we have not the least intention of preserving the authority which has thus reverted to us. * * * It was our intention so to conduct our relations with the Egyptian people that they should naturally regard us as their best friends and counselors, but that we did not propose upon that account arbitrarily to impose our views upon them or to hold them in an irritating tutelage." [Italics ours.]

"7. Lord Granville, December 29, 1882, Egypt No. 2 (1882), page 33, officially stated:

"You should intimate to the Egyptian Government that it is the desire of Her Majesty's Government to withdraw the troops from Egypt as soon as circumstances permit, that such withdrawal will probably be effected from time to time as the security of the country will allow it, and that Her Majesty's Government hope that the time will be very short during which the full number of the present force will be maintained." [Italics ours.]

"8. Lord Dufferin's dispatch, February 6, 1883, Egypt No. 6 (1883), pages 41, 43, stated:

"The territory of the Khedive has been recognized as lying outside the sphere of European warfare and international jealousies. * * *

"The Valley of the Nile could not be administered from London. An attempt upon our part to engage in such an undertaking would at once render us objects of hatred and suspicion to its inhabitants. Cairo would become a focus of foreign intrigue and conspiracy against us, and we should soon find ourselves forced either to abandon our pretensions under discreditable conditions or embark upon the experiment of a complete acquisition of the country."

"9. Again, at page 83, Lord Dufferin said:

"Had I been commissioned to place affairs in Egypt on the footing of an Indian subject State the outlook would have been different. The masterful hand of a resident would have quickly bent everything to his will, and in the space of five years we should have greatly added to the material wealth and well-being of the country by the extension of its cultivated area and the consequent expansion of its revenue; by the partial if not the total abolition of the corvée and slavery; the establishment of justice and other beneficent reforms. But the Egyptians would have justly considered these advantages as dearly purchased at the expense of their domestic independence. Moreover, Her Majesty's Government have pronounced against such an alternative." [Italics ours.]

"10. Mr. Gladstone, in the House of Commons August 6, 1883, said:

"The other powers of Europe * * * are well aware of the general intentions entertained by the British Government, intentions which may be subject, of course, to due consideration of that state of circumstances, but conceived and held to be in the nature not only of information but a pledge or engagement." [Italics ours.]

"11. Mr. Gladstone, in the House of Commons August 9, 1883, said:

"The uncertainty there may be in some portion of the public mind has reference to those desires which tend toward the permanent occupation of Egypt and its incorporation in this Empire. This is a consummation to which we are resolutely opposed and which we will have nothing to do with bringing about. We are against this doctrine of annexation; we are against everything that resembles or approaches it; and we are against all language that tends to bring about its expectation. We are against it on the ground of the interests of England; we are against it on the ground of our duty to Egypt; we are against it on the ground of the specific and solemn pledges given to the world in the most solemn manner and under the most critical circumstances, pledges which have earned for us the confidence of Europe at large during the course of difficult and delicate operations, and which, if one pledge can be more solemn and sacred than another, special sacredness in this case binds us to observe. We are also sensible that occupation prolonged beyond a certain point may tend to annexation, and consequently it is our object to take the greatest care that the occupation does not gradually take a permanent character. * * * We can not name a day and do not undertake to name a day for our final withdrawal, but no effort shall be wanting on our part to bring about that withdrawal as early as possible. [Italics ours.]

"12. Lord Granville's dispatch, June 16, 1884, Egypt No. 23 (1884), page 13, stated:

"Her Majesty's Government * * * are willing that the withdrawal of the troops shall take place at the beginning of the year 1888, provided that the powers are then of opinion that such withdrawal can take place without risk to peace and order."

"13. Lord Derby, in the House of Lords, February 26, 1885, said:

"From the first we have steadily kept in view the fact that our occupation was temporary and provisional only. * * * We do not propose to keep Egypt permanently. * * * On that point we are pledged to this country and to Europe; and if a contrary policy is adopted it will not be by us." [Italics ours.]

"14. Lord Salisbury, in the House of Lords, June 10, 1887, said:

"It was not open to us to assume the protectorate of Egypt, because Her Majesty's Government have again and again pledged themselves that they would not do so. * * * My noble friend has dwelt upon that pledge, and he does us no more than justice when he expresses his opinion that it is a pledge which has been constantly present to our minds. * * * It was undoubtedly the fact that our presence in Egypt, unrecognized by any convention * * * gave the subjects of the Sultan cause for a suspicion which we did not deserve." [Italics ours.]

"15. Lord Salisbury, in the House of Lords, August 12, 1889, said:

"When my noble friend * * * asks us to convert ourselves from guardians into proprietors * * * and to declare

our stay in Egypt permanent * * * I must say I think my noble friend pays an insufficient regard to the sanctity of the obligations which the Government of the Queen have undertaken and by which they are bound to abide. In such a matter we have not to consider what is the most convenient or what is the more profitable course; we have to consider the course to which we are bound by our own obligations and by European law." [Italics ours.]

"16. Mr. Gladstone, in the House of Commons, May 1, 1893, said:

"I can not do otherwise than express my general concurrence * * * that the occupation of Egypt is in the nature of a burden and difficulty, and that the permanent occupation of that country would not be agreeable to our traditional policy, and that it would not be consistent with our good faith toward the suzerain power, while it would be contrary to the laws of Europe. * * * I certainly shall not set up the doctrine that we have discovered a duty which enables us to set aside the pledges into which we have so freely entered. * * * The thing we can not do with perfect honor is either to deny that we are under engagements which preclude the idea of an indefinite occupation, or so to construe that indefinite occupation as to hamper the engagements that we are under by collateral considerations." [Italics ours.]

"17. The text of the Anglo-French agreement of April 8, 1904, provides:

"The Government of His Majesty declares that it has no intention of altering the political status of Egypt."

"18. Lord Cromer's report, March 3, 1907, Egypt No. 1 (1907), page 2, stated:

"There are insuperable objections to the assumption of a British protectorate over Egypt. It would involve a change in the political status of the country. Now, in Article 1 of the Anglo-French agreement of the 8th April, 1904, the British Government have explicitly declared that they have no intention of altering the political status of Egypt."

"19. In an interview with Dr. Nimr, editor of the Mokattam, October 24, 1908, acknowledged as official by Sir E. Grey in the House of Commons, Sir Eldon Gorst said:

"It has been said that Great Britain proposes shortly to proclaim the protectorate or the annexation of Egypt to the British Empire. Will Sir Eldon Gorst permit me to ask him whether this rumor is well founded or not?"

"Sir Eldon Gorst answered:

"The rumor has no foundation, and you may contradict it categorically. Great Britain has engaged herself by official agreements with Turkey and the European Powers to respect the suzerainty of the Sultan in Egypt. She will keep her engagements, which, moreover, she reiterated in 1904 at the time of the conclusion of the Anglo-French agreement. England stipulated in that agreement that she has no intention to change the political situation in Egypt. Neither the people nor the Government wish to rid themselves of these engagements."

"20. Sir Eldon Gorst's report, March 27, 1909, Egypt No. 1 (1909), page 1, stated:

"There exists among the better-educated sections of society a limited but gradually increasing class which interests itself in matters pertaining to the government and administration of the country. This class aspires quite rightly to help in bringing about the day when Egypt will be able to govern herself without outside assistance. This is also the end to which British policy is directed, and there need be no antagonism or principle between the Egyptian and English reforming elements."

"21. In the same report, at page 48, Sir Eldon Gorst said:

"Since the commencement of the occupation the policy approved by the British Government has never varied, and its fundamental idea has been to prepare the Egyptians for self-government while helping them in the meantime to enjoy the benefit of good government."

"22. Sir Eldon Gorst's report, March 26, 1910, Egypt No. 1 (1910), page 51, stated:

"British policy in Egypt in no way differs from that followed by Great Britain all over the world toward countries under her influence, namely, to place before all else the welfare of their populations."

"23. Sir Edward Grey, in the House of Commons, August, 1914, said:

"England stretches out her hand to any nation whose safety or independence may be threatened or compromised by any aggressor."

"24. Former Premier Balfour, speaking for the Government at Guild Hall, on November 19, 1914, declared:

"We fight not for ourselves alone but for civilization drawn to the cause of small States, the cause of all those countries which desire to develop their own civilization in their own way,

following their own ideals without interference from any insolent and unauthorized aggressor."

"25. Premier Asquith, speaking at Guild Hall, November 9, 1915, asserted:

"We shall not pause or falter until we have secured for the smaller States their charter of independence and for the world at large its final emancipation from the reign of force."

"26. And, again, Premier Asquith, on November 9, 1916, declared:

"This is a war, among other things—perhaps I may say primarily—a war for the emancipation of the smaller States. * * * Peace when it comes, must be such as will build upon a sure and stable foundation the security of the weak, the liberties of Europe, and a free future for the world."

"27. Premier Lloyd-George, on June 29, 1917, said:

"In my judgment this war will come to an end when the allied powers have reached the aims which they set out to attain when they accepted the challenge thrown down by Germany to civilization."

"28. Asquith, in the House of Commons, on December 20, 1917, said:

"We ought to make it increasing clear by every possible means that the only ends we are fighting for are liberty and justice for the whole world, through a confederation of great and small States, all to possess equal rights. A league of nations is the ideal for which we are fighting, and we shall continue fighting for it with a clear conscience, clean hands, and an unwavering heart."

"After the beginning of the World War, and on December 18, 1914, Great Britain proclaimed a so-called protectorate over Egypt. The proclamation seizing Egypt and placing Egypt under the British flag is published in the London Times of December 19, 1914, page 8, column 3. It reads:

"In view of the action of his highness Abbas Helmi Pasha, lately Khedive of Egypt, who has adhered to the King's enemies, *His Majesty's Government has seen fit to depose him from the khedivate*, and that high dignity has been offered, with the title of Sultan of Egypt, to his highness Prince Hussein Gamel Pasha, eldest living Prince of the family of Mehmet Ali, and has been accepted by him."

"The King has been pleased to approve the appointment of Prince Hussein to an honorary Knight Grand Cross of the Order of the Bath on the occasion of his accession to the sultanate." [Italics ours.]

"The London Times, in the issue of December 19, 1914, had large headlines saying, 'Egypt under the British flag.' But the Times, in an editorial in the issue of same date, with characteristic British diplomacy, naively said:

"All that is desired now is to defend Egypt against attack and to keep the internal administration running smoothly. Other questions can wait until peace is restored, as Lord Cromer implies in the letter we published to-day. * * * It is purely a practical administrative step, dictated by the appearance of Turkey as a belligerent."

"It will be noted that the seizure was sought to be justified only as a protection to Egypt against Turkish aggression. The truth is that under the guise of a 'protectorate' Great Britain seized Egypt and swept away every vestige of Egyptian freedom and independence. But the people of Egypt did not realize at that time the full meaning of this action on the part of Great Britain. They were told that it was a step toward the independence of Egypt. His Majesty King George, in a letter to the Sultan whom he had appointed to rule over Egypt, which letter was widely circulated throughout Egypt and was published in the London Times of date December 21, 1914, said:

"* * * I feel convinced that you will be able, with the cooperation of your ministers and the protectorate of Great Britain, to overcome all influences which are seeking to destroy the independence of Egypt. * * * [Italics ours.]

TREATMENT OF EGYPTIAN DELEGATES TO PEACE CONFERENCE.

"From the Egyptian White Book, page 19:

"I addressed to British headquarters on the 20th instant (November) a letter in which I requested for my colleague and myself the permission necessary for voyage. * * * We have just received a letter from the military authorities dated to-day, informing us that difficulties have arisen which have prevented them from responding before and that as soon as they are smoothed out we shall receive an answer. * * * We rely upon the traditions of Great Britain. The British have not ceased to give to the world examples of the devotion to the principles of individual liberty. Will not our request for passports receive a quick and favorable response?"

"To this the following letter was received on December 1, 1918, page 21:

"I am directed by his excellency, the high commissioner, to acknowledge receipt of your letter of the 29th ultimo and to inform you in reply that after reference to His Majesty's Government, his excellency feels unable to make any representations to the military authorities in the matter."

"I am to add that should you desire to submit suggestions as to the government of Egypt, not being inconsistent with the policy of His Majesty's Government as already declared, such suggestions can most conveniently be submitted in writing to his excellency. In this connection I may draw your attention to the communication addressed by Sir Mille Cheetham, proclamation of protectorate by the British Government, December 18, 1914, by instruction of His Majesty's Government to the late Sultan Hussein on the occasion of his accession."

"To this the delegation replied on December 3, 1918, as follows, page 22:

"In response I allow myself to make known to your excellency that it is not permitted, neither to me nor to any member of the delegation, to make propositions which are not in accordance with the will of the Egyptian nation as expressed in the mandates that have been given us. * * * Forbidding our departure makes illusory and inoperative the mission that we have accepted by will of the people. It is difficult to conciliate this situation with the principles of liberty and justice which the victory of Great Britain and her allies is supposed to have caused to triumph. This victory has repeatedly been declared to be for the purpose of opening a new era for mankind through listening and granting the just demands of peoples."

"In a letter of protest to Premier Lloyd-George against the virtual imprisonment of the Egyptian delegation at Cairo, the president of the delegation wrote (p. 26):

"You have certainly been misinformed of the circumstances that accompanied our sequestration. We can not imagine how such proceedings can be justified, whether from the point of view of law or social usage, or even of reasonable policy, and we can not understand how the British can apply systematically so humiliating a treatment to a nation with the rich and glorious past of ours. Whatever may be its present weakness, a nation with a civilization so ancient will always preserve before the world its prestige and its title to the gratitude of the world."

"Deny the civilization of Egypt in spite of traces that attest its glorious past; deny its benefits to the culture of the world; suppose that it is only an agglomeration of savages ruled by the brutality of their instincts and without law—do you refuse to believe that Egypt has been a precious aid to you? The enormous sacrifice that we have made during the war in blood and treasure for the triumph of your cause, were indispensable to you, and moreover you have recognized many times that these sacrifices were one of the principal factors of victory in the Orient."

"* * * Even were you to suppose that Egypt had no civilization and that Egypt gave you no aid, would you none the less refuse to apply to her the principles which you have agreed with President Wilson to apply—impartial justice on every side of settlement no matter whose interest is crossed, and not only impartial justice but also the satisfaction of several peoples whose fortunes are dealt with?"

"Egyptian case stated as follows in a letter from Egyptian delegation to president of peace conference (p. 88):

"For more than five months the British authorities refused to allow our delegation to leave for Europe. Public opinion, realizing that a peace conference had assembled and was taking up the problems of the Near East, and preparing a treaty to present to Germany, became aroused. The Egyptians insisted that the authorization for our departure be granted. Standing by the people, the cabinet presented its resignation, which was accepted. The answer of the British military authorities to the official request of the Egyptian Government was to order the arrest and deportation to Malta of the president of the delegation and of three of his colleagues. They were taken suddenly from their homes and hurried away under cover of night. There was no trial, and they were not informed of the reasons for their arrest and deportation. When they learned of this act of violence, totally contrary to the law, there were peaceful demonstrations throughout the country, in which all classes took part. Government officials and the personnel of railways and other transportation service, decided to strike. The English thus saw that in the entire territory of Egypt the people of all classes, irrespective of religion, were against their domination, nevertheless they persisted in their wish to govern by force of arms the people who did not want them."

"The manifestations were suppressed by machine guns which mowed down dozens of unfortunate demonstrators. Since the Egyptians had no arms, the order to fire was totally unwarranted. But frightfulness could not stop the Egyptians

from proceeding in their determination to make an effort to obtain their independence. They had firm faith in the principles of President Wilson which had been solemnly accepted by the Entente Allies. They felt that if their delegation could only get to Paris that justice would be accorded to them. So, in spite of the death that awaited them, they advanced in groups in ecstasy, making the sacrifice of their lives to the cause of liberty.

"Even the women were not spared. Without mentioning those who fell on the field of honor during the national demonstrations, we can cite the case of the leading ladies of Cairo who organized under the leadership of the wife of the prime minister, a demonstration to protest to the diplomatic agencies against the murder of innocent and unarmed citizens in the streets of Cairo. Suddenly they were surrounded on all sides by soldiers who pointed their guns at them. This inspired one of the Egyptian women to say 'Make of me if you will a second Miss Cavell.' They were kept for more than two hours in the burning sun. In proof of this statement, we refer to the testimony of the agencies of the United States and Italy.

"The British authorities in Egypt were as much disturbed as provoked by the extent of the movement and astonished at their powerlessness to stop it. It was then that the spirit of vengeance got the better of them, and they then allowed themselves to indulge in the most disgraceful excesses. No longer content to stop the demonstrations by means of rifles and machine guns, they were guilty in several places of rape, of assassination of peaceful villagers, of pillage, of arson—all with the most trifling pretext or even without pretext. No longer was it a question of individual abuses committed by stray soldiers such as those of which the minister of justice and the president of the legislative assembly had been victims—no longer was it a question of blows and thefts in the streets of Alexandria and Cairo, attacks began to be made by strong military attachments under the command of their officers in villages as well as cities."

BRITISH VIEWS ON THE EGYPTIAN QUESTION.

"Sir Thomas Barclay, vice president of the Institute of International Law, says in his book, 'New Methods of Adjusting International disputes and the Future':

"Turning to another aspect of international matters, it is deeply to be regretted that in several instances in our own time international treaties have not been regarded by public opinion with the same respect as international awards. The attitude of England toward Egypt, of Italy toward Turkey, of Russia toward Persia, of France toward Morocco, and especially of Germany toward Belgium, all are instances of eventual bad faith, however justifiable the original intervention may have been in the one case or unjustifiable in the other. They are additional evidence of the difficulty of preserving the peace of the world even by the most solemn of international undertakings."

[Excerpts from an article by the Right Hon. J. M. Robertson, former member of the British Cabinet, in the Contemporary Review of May, 1919, under the title of "The problem of Egypt":

"A rebellion in Egypt in 1919 has set all men elsewhere asking the question, Why? In 1914 a rebellion was planned for by the German enemy; how thoroughly the world has not yet been informed. Had it broken out, the causation would have been sufficiently obvious, apart from any known native discontent. But that rebellion should have been averted then and should blaze forth now, when the leagued enemies of the British Empire are prostrate in defeat, signifies a new causation. What is it?

"Some have put the hypothesis that Egyptian Moslems are alarmed by the prospect of Jewish domination in Palestine. But even if there were not express testimony that the Zionist leaders have maintained thoroughly friendly relations with those of the Arabs, such an explanation would be plainly inadequate. Moslem feeling in Egypt about Palestine could at most aggravate other grounds of resentment; it could not motive a rebellion in which the Moslems of Palestine have no share. Such a rising, exhibiting no signs of direction from without, must be held to signify grievances within Egypt; and new and special grievances at that. The disorders reported from Cairo on April 14 appear to involve riots directed against the Armenians and Greeks; and it may be that the presence of a number of Armenian refugees has helped to foment fanaticism. But these attacks, as described, have the appearance of being a sequel to the previous insurrection rather than a key to its causation. Normally, the Moslems in Egypt live on perfectly good terms with the numerous Greeks; fanaticism being in fact not a normal factor in the life of the Egyptian mass. And the remarkable statement made

by Miss M. E. Durham, in the Daily News of April 2, would seem to yield the explanation. Thus it runs:

"I was in Egypt from November, 1915, to April, 1916, and can confirm Dr. Haden Guest in his statement that it is to our own treatment of the Egyptians that we owe the present trouble. The authorities were certainly to blame in landing colonial troops in Egypt without carefully instructing them as to the population they would meet there. So ignorant were numbers of these men that they imagined that Egypt was English, and the natives of the land were intruders.

"More than one Australian said that he would clear the lot out if he had his way. They treated the natives with cruelty and contempt. In the canteen in which I worked a very good native servant was kicked and knocked about simply because he did not understand an order given him by a soldier. An educated native in the town was struck in the mouth and had his inlaid walking stick forcibly snatched from him by a soldier who wanted it. More than one English resident said to me: 'It will take years to undo the harm that has been done here by the army.' Personally I felt that were I an Egyptian I should have spared no effort to evict the British. I felt ashamed of my country—bitterly ashamed. The opinion of the native for the soldier was amusingly illustrated by a small conversation book, one phrase of which was to the effect: 'You fool; what for you spend all your money on beer?' and a dialogue with a beggar which ended: 'I am poor; I am miserable,' to which the Briton replied: 'Go to hell.'

"I spoke with great severity frequently to the soldiers, telling them that by their conduct they were proving themselves the enemies of England; that the Germans maltreated the enemy, but that they were attacking their own side and would make enemies. This surprised them very much. They were absolutely ignorant of the situation.

"To make matters worse, for the first few days after the troops arrived in quantities, the drink shops were all open all day, and the unlovely results filled the natives with disgust and contempt. It was reported, I do not know with what truth, that drunken men had snatched the veils from Moslem women. The tale was believed by the natives.

"Small wonder if they hate and dread us."

"It is probably necessary to impress upon many people in this country that the insolent outrage such as that described, inflicted upon people in their own country by a dominant alien race, is about as maddening to the indigenous population as Englishmen found many of the tales of German brutality to British prisoners and subject Belgians during the war. The blood boils in Egypt perhaps more easily than in England. And if any of our people continue to argue, as many of them did a dozen or more years ago, that Egyptians ought to be too thankful for our beneficent rule to feel rebelliously about individual grievances, it will be more necessary than ever to point out that such reasoning tells only of an incurable moral blindness. Old chronicles are full of rebellion arising out of individual outrages; and a nation collectively grateful to an alien race for ruling it is not among the portents of history.

"How government has gone in Egypt during the war it was practically impossible for us at home to know. It was no time for discussing reforms; and military rule had to prevail there at least as much as here. But when the world is intent upon a peace settlement which is to remedy as far as may be all the grievances of subjected peoples, it would be idle to suppose that wild mutiny and stern repression (going to the length of bombing open villages) can go on in Egypt without comment or criticism from our allies, to say nothing of our late enemies.

"If Egypt were under any rule but British, British critics in general would hold it a matter of course that such a mutiny as has recently been quelled there must signify some kind of misgovernment. The fact that we can quell a mutiny by bombing, from aeroplanes, the open villages of a population which simply can not organize a military resistance, is no proof whatever either of the general badness of the Egyptian cause or the goodness of ours.

"Recollections of the history of Poland might suffice to move thinking men in this country to seek for a policy which shall not merely 'hold down' the Egyptian people now but make it unnecessary to hold them down in future. Whatever the patriots in Parliament and the Northcliffe press may say for the moment, this bombing of open villages and flogging of rioters can not improve our reputation either in Christendom or in the Moslem world; and it will not be permanently possible even for the patriots to keep up a denunciation of Germans for their past bombing of noncombatants here while we bomb noncombatants in Egypt. And there is a painful probability that such episodes will recur unless we make a new departure in Egyptian Government.

"It is presumably well known that the present system is one embodying a few of the forms without any of the realities of self-government. At every stage at which those forms have been adjusted the obvious purpose was to give nothing approaching real power of any kind either to the mass of the people or to Egyptian ministers who nominally administered. For such a policy of emasculation the private defense has always been that neither ministers nor people can be trusted, the former to govern or the latter to control them. It may simplify the discussion to admit that for this plea there is some justification. It would be hard to prove that the majority of the electors in Britain who polled at the last general election are well qualified to vote. They are now showing signs of a change of feeling which could hardly be paralleled in oriental history for quickness and completeness. That being so, it is not to be supposed that the people of Egypt are properly fitted to exercise political power. But that does not alter the fact that in Egypt, as in Europe, the only way in which any population can become fitted to exercise political power is to begin using some degree of political choice.

"Certainly it is important that some amount of education, in the ordinary sense of the term, should precede political enfranchisement—though a franchise long subsisted with a low standard of popular education in our own country. But Englishmen can not long plead lack of education in Egypt as a ground for denying it any measure of real self-government, when it is by the decision of the British control that Egypt remains so largely uneducated. The policy of Lord Cromer in that regard was fatally transparent. Until within a short time of his resignation he refused even the appeal of his British (the controlling) minister of education to spend more than £200,000 a year on the schooling of a nation numbering some twelve millions. The finances of Egypt, he declared, did not admit of an expenditure much in excess of that. When criticism was brought to bear in the British Parliament he quickly discovered that he could spend the £400,000 his minister had asked for; and since his day the expenditure has greatly increased, still without giving Egypt a good system of schools.

"The reforms, such as they are, have been largely the result of native pressure. Egyptians of all classes have long agitated for better and better schools, and in particular for a good modern university. Before the advent of the British control Egypt was to a very considerable extent in a state of educational progress. A study of the catalogue of the Khedival Library in 1906 revealed that quite a large number of scientific and other works had been translated into Arabic, chiefly from the French, in the days of Ismail and his predecessors. Yet when it was urged upon Lord Cromer's Government that science teaching should be introduced into the program of the secondary schools the official answer was that books for the purpose did not exist. As they had existed a generation before, the irresistible conclusion was that the British control had let Egypt retrograde from the level reached under Moslem rule. So reactionary was the influence of the Cromer tradition that only after much pressure was it made possible for students of agriculture in Egypt to secure instruction in their own language. The Cromer tradition was that they must master either French or English for the purpose. Let the reader try to imagine what would be said of a British Government that refused to give instruction in scientific agriculture to farmers' sons save in a foreign language.

"It is perfectly true that Lord Cromer managed Egyptian finances well and economically, in contrast with the extremely bad management of the old régime. Probably no native government could have approached to the efficiency, to say nothing of the rectitude, of the British control in finance. As to all that there is no dispute; but it savors almost of burlesque to argue that the duty of the British control toward Egypt was fulfilled when Egypt was made to pay full interest on all its debts and meet the whole costs, civil and military, of the British administration. For generations past it has been an axiom in our politics that it is the business of governments to look to the moral welfare of the nation as well as to its finance, and it is upon their contributions to that welfare that political parties now mainly found their claims to support. The very backwardness of Egypt was a ground for special measures to promote her moral progress. To make the defense of British rule consist in having regulated her finances and increased her productivity while leaving her more backward than ever in the elements of qualification for self-government was to discredit the cause that was defended. The obvious answer of every impartial foreigner to such a plea would be: 'You claim credit and gratitude for having secured the safe payment of your own bondholders, in whose interest you originally entered Egypt. Orderly government was essential to that. To earn credit and

gratitude you must do a good deal more. You must raise the levels of life for the people of Egypt as you confessedly seek to raise them for your people at home. And you must know—what nation can know better?—that a people declared unfit to manage their own affairs are thereby pronounced low in the human scale.'

"It is, to say the least, unfortunate for the British Government that such an outbreak in Egypt should follow immediately on the close of the World War, when 'self-determination for subject races' passes for a principle with the peace conference. Had those responsible for the control of Egypt in the past sought to fulfill our old pledges with more of good will and good faith, we might have escaped this unpleasant emergency, though it will doubtless be argued that Lord Morley's progressive measures in India did not avert sedition there in 1914 and later. But the conclusion comes to by responsible inquirers as regards India is obviously still more compulsive as regards Egypt. Our duty to prepare that country for self-government has been again and again officially avowed from the time of our first entrance; and those who think we can forever go on simply repressing discontent and maintaining the status quo are plainly unteachable by events. If the British control does not get newly into touch with intelligent native opinion, the situation will infallibly go from bad to worse, and this in the eyes of a world newly critical of 'imperialism.' That long-vaunted ideal has somewhat rapidly become a term of censure for whole nations.

"We shall be faced, as a matter of course, with the regulation formula that there can be no talk of concessions to a people who have been recently in rebellion. The Russian bureaucracy used to talk in that fashion, and we have seen the outcome. If those responsible for British rule in Egypt have in any degree learned the lesson, they will as soon as possible set about securing native support by taking natives into council; by giving room for real initiative to the nominal Egyptian ministers, who must know a good deal more about Egypt than do more than a few of the British bureaucracy there, civil or military; and by giving some reality to the form of self-government which thus far has been allowed to count for next to nothing in Egyptian politics. Before the war there were chronic and bitter complaints about the disregard of native wishes, as expressed by the elected representatives, in regard to matters of administration nearly concerning Egyptian welfare. During the war there, as here, must have been the possible minimum of consultation of the people. Perhaps what has happened in the English by-elections within the last month or two may suffice to suggest to the British Government that the sooner it resumes touch with public opinion everywhere the better it will be for national stability, to say nothing of the stability of the ministry. Egyptian mutiny is only the nonconstitutional version of the dissatisfaction that expresses itself in elections in the constitutional country. And, to put the case at its lowest, the safe course is to set about making Egypt constitutional.

"J. M. ROBERTSON."

"Capt. Wedgwood Benn, in the House of Commons on May 15, initiated a debate on the state of affairs in Egypt. Among other things, he said:

"It was not too much to say that the reason for the calmness in Egypt, even when the Turks were successful and had overrun the Sinai Peninsula, was that the Egyptians trusted that the assistance they had rendered to the Empire in the war would not be permitted to interfere with the satisfaction of their legitimate aspirations. * * *

"The peace that had reigned in 1914, because there was trust, was converted by somebody in 1919, when there was disappointment, into a national insurrection. * * * The unrest among that large, busy, and influential class of people was caused by the fact that changes were in the air and nobody had been consulted. The underlying cause was that the status of Egypt had been altered.'

"Mr. Spoor (Bishop Auckland) said in the House of Commons on the same day:

"The situation in Egypt appeared to have been aggravated enormously because Egypt was under military control, and military control of a very short-sighted kind. The methods of governing Egypt had become more and more military; and in regard to the censorship of information which was allowed to be sent from that country, it was interesting to note that the Times asserted ever since 1914 it had been the most inept and most savagely ruthless censorship in any country under British control.

"There were facts which could be thoroughly well authenticated of atrocities of the most extreme kind that had

been committed with the full sanction of our own military authorities. * * * The allegation (of atrocities) had become so general, not only in this country but throughout Europe, that it was high time an inquiry was held.'

FRENCH VIEWS.

[Speech of M. Goude, of the French Chamber of Deputies, at the sitting of Sept. 4, 1919. Translated from *Le Journal Officiel*.]

"M. Goude: In his speech of yesterday M. Franklin-Bouillon said that under the appearance of 'no compromise' M. Clemenceau had surrendered on every point.

"I will try to show that the president of the council (prime minister) at any rate adopted these tactics when it came to settling a question that he understands thoroughly, a question often discussed from this tribune and upon which the prime minister has often spoken.

"Article 147 of the treaty submitted to us for ratification says:

"Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on the 18th of December, 1914."

"This means that Egypt is placed under the protectorate of England without this agreement having ever been ratified by Parliament. Neither in the treaty of peace nor in the report of M. Maurice Long has one dared to directly approach this question; it is well known that it is a thorny one and that it is absolutely contrary to all the principles laid down by the Entente Governments during the course of the war.

"It is known that at the present moment—in spite of their appeals to all the parliaments and all the politicians of the Entente—a people are being placed under the domination of another people. This is being done in an underhand way. We are not asked at first—we the French Chamber—to ratify an agreement recognizing the protectorate declared by England over Egypt in 1914, but we are told: 'We are compelling Germany to recognize the protectorate proclaimed by England over Egypt.'

"The question is brought up, I repeat, in an underhand way, because it is known that if the sole question of the English protectorate in Egypt was brought before Parliament a great debate would spring up, and I am convinced that if this question was the only one under discussion before you such a project of the treaty would never be approved. I therefore wish to know and I ask for what reasons the French Government thinks it right to place under English domination the Egyptian people, who protest with all their might and all their energy, as I will show.

"Is it not well known that Egypt has always shown its determination to be independent? Is it not well known that it is worthy of this independence?

The prime minister himself has vigorously defended the dignity of Egypt. He knows, as we do, that the production of Egypt supports its 16,000,000 of inhabitants, including Egyptians and Soudanese; that almost all the landed property belongs to Egyptians; that its farms are cultivated by native-born subjects to the exclusion of all others; that this country had in 1913 a foreign commerce amounting in value to 12,000,000,000 francs (about \$2,400,000,000); that the national budget of Egypt is 800,000,000 francs (about \$160,000,000); that intellectual Egyptians cultivate French traditions; that there exists in this country boys' and girls' colleges in large numbers, as well as different high schools, where the French language is exclusively employed, without forgetting the celebrated law school.

"Fifty years ago the Khedive could declare:

"My country is no longer in Africa. It is a part of Europe."

"Thirty years or so ago, the prime minister, rising in this tribune to defend Egyptian independence as I defend it to-day, declared:

"I do not desire to enter into ethnographic consideration as regards the Egyptian race—this is not the place for it—but it is certain that this race, of which we see some remarkable specimens amongst us, in our schools, is a calm and docile race—too docile, it may be said at certain moments—susceptible of culture and application, an industrious race of which surely one has every reason to expect much. No one can stand up in this tribune, no one will come into this Parliament of the Republic to say that these men are incapable of freeing themselves and that we owe no other duty to them, except to govern them with a courbash and a cudgel."

"['Hear! Hear!'] at the extreme left.]

"Thirty-two years ago the prime minister made these declarations. Since then, as we know, European civilization has been spreading itself more and more in Egypt, which ardently desires to Europeanize its civilization, which is modifying its

political structure, which has extended the suffrage to all citizens, who have attained their twentieth year—a reform that certain European nations might well envy.

"It must be remembered that at the moment of the declaration of war, on the 2d of August, 1914, Egypt was independent under the sole suzerainty of the Sultan of Turkey. This suzerainty, approved in 1840 by the European powers, consisted in the payment each year by Egypt of a tribute of 15,000,000 francs to the Sultan—and that was all. Having done this, it had an absolute right recognized by the European powers, to manage its own affairs according to its fancy and to have its own constitution. I know well that little by little England, by the force of her armies, had got hold of Egyptian institutions, that the members of the Government were hardly anything more than English officials, and that the President of the Legislative Assembly is appointed by the Government. But this was putting into practice the formula against which we are all struggling: 'Might is right.' England had no precise and express right in Egypt. The most famous English politicians, the heads of the Government, have said so on several occasions, as, for instance, Gladstone, who in the House of Commons as far back as the 23d of June, 1884, stated:

"We pledge ourselves not to prolong our military occupation in Egypt beyond the 1st of January, 1888."

"It is the same prime minister who said, on the 18th of September, 1885:

"England ought to withdraw from Egypt as soon as British honor will permit of it. We will never admit that there can be any question of annexation, of a protectorate, or even of an indefinite prolongation of the English occupation, and we repudiate all idea of any compensation whatsoever for the efforts and sacrifices that we have made up to this day. English policy is founded on an error, and what is best to be done in a matter like this is promptly to put an end to such an intervention."

"It is Lord Salisbury who said on the 10th of June, 1887, in the House of Lords:

"Her Majesty's Government, by virtue of its previous engagements and of the rules of international law, does not think that it can place Egypt under a protectorate. Its rule should be limited to coming to an understanding with the Porte to defend the interests of the Khedive against political calamities and to maintain the statu quo in the valley of the Nile."

"There has been a large number of the declarations, but to shorten matters I will only quote the one made by Lord Salisbury in the House of Lords on the 12th of August, 1889:

"We can not proclaim our protectorate over Egypt nor our intention to occupy it effectively and perpetually; this would amount to breaking the international pledges signed by England."

"Such was the state of the question during the occupation. In the agreement called the 'entente cordiale,' concluded in 1904 between France and England, article 1 begins as follows:

"The Government of His Britannic Majesty declares that it has not the intention to change the political state of Egypt."

"In the course of the discussion of the Fashoda affair, when England asked me to withdraw, it was not because the Sudan belonged or could belong to England; it was because of England's declaration that it was Egyptian territory. England has, then, clearly recognized on every occasion the independence of Egypt."

"Has the country, which was independent under the sole suzerainty of the Sultan and under the conditions that I have precisely indicated, become less deserving of our consideration during the war? Is there any reason for modifying, by lowering it, the political status of Egypt?"

"You know that Egypt came at once and took her stand with the Allies. It must not be forgotten that the silver thread to which I referred a moment ago still bound it to Turkey."

"Before Turkey declared war Egypt placed itself at the disposal of England—of the English consul general—by saying:

"If you will promise us our complete independence, if the English armies undertake to quit our country after the war, we will place our financial resources, our provisions, our arms, and our sons, all, in fact, that we possess, at your entire disposal; we are ready to go with you to the Continent to defend the interests of the Allies."

"To the offer thus made at this moment England replied by a downright refusal."

"Later the situation got worse. Turkey, who was suzerain over Egypt, went to war against the Allies. Egypt renewed its offer in the same way. The Sultan, be it noted, had proclaimed a holy war. Do not forget that Egypt is a Mussulman country, but a country of semi-European civilization, where a very lively sympathy for Europe exists. In spite of the powerful effect that

the proclamation of the holy war might have on the peasant masses, who are profoundly Mussulman in sentiment, Egypt, attracted by European culture, came to us and said once more: 'Insure us our independence after the war and we are with you, body and soul.'

"We have made use of Egypt; it is the Egyptian artillery which checked the impetus of the German-Turkish armies in February, 1915, when these armies tried to seize the Suez Canal and to cut our communications. Egypt put its cotton at the disposal of Europe. Later on, in face of the necessity of growing wheat, it abandoned the profitable production of cotton in order to cultivate wheat, and it put all its provisions at the disposal of the army of Salonica, which it victualled to a great extent.

"With a population of 13,000,000 of inhabitants it has placed 1,200,000 workers at the disposal of the Entente—a figure recognized as exact by the English.

"All this Egypt has done for the Entente. Have we now the right as a recompense for these services to violate the very principles that everyone here invokes, the principles which have been laid down with precision by President Wilson, when, for instance, he said, 'Peoples ought not be passed on from one sovereignty to another by an international conference or an arrangement between rivals and adversaries.' ['Hear, hear,' from several benches of the extreme left.] The national aspirations ought to be respected. The peoples ought to-day be governed by their own consent.

"Is it not there, besides an international interest, that Egypt shall not be placed under the domination of a European power? I have here under my eyes a short extract from a speech of M. de Freycinet, then prime minister, who on the 27th of November, 1886, summed up admirably the Egyptian question by saying:

"Egypt is a sort of crossing for the Old World. It is a junction between Europe, Asia, and Africa. It is a highway which permits of the penetration of the Far East possessions. Besides, he who is master of Egypt is master to a great extent of the Mediterranean. It is certain that if a great power installed itself definitely in Egypt this would be a very heavy blow to French influence in the Mediterranean in such a manner that, in my estimation, France ought never reconcile herself to the idea that Egypt could definitely fall into the hands of a European power.' ['Hear, hear,' from the extreme left.]

"This is an undoubted fact. And the question ought not to be examined merely from a material standpoint, but also from a moral point of view. This Mussulman country into which European civilization penetrates little by little is being driven by us into a corner where violence is its only recourse. This is henceforth its only political issue. We could, however, have made of Egypt a point of contact between eastern and western civilization. ['Hear, hear,' from the extreme left.] This is exactly what we are not doing.

"Not only will this country, which came of its own accord to the Entente, receive no compensation, but by virtue of the treaty of peace its bounds will be tightened and its chains made heavier.

"* * * in this Chamber, which during such a long time and so very justly complained of the Bismarckian policy, which had left in the side of France the painful scar of Alsace-Lorraine, it is my desire to declare that it is helping to create at this moment another Alsace-Lorraine.

"M. JEAN LONGUET. Ten Alsace-Lorraines.'

"M. GOUDE. Certainly, many Alsace-Lorraines; but this one is particularly characteristic. * * *

"Egypt, which during the whole of the war and in order to insure the victory of the Allies, has endured without complaining the yoke of English militarism, which has borne with all the measures of censure, with all the house searches, trial sentences, etc.

"M. JEAN LONGUET. With the atrocities!

"M. GOUDE. Atrocities. Yes; that is the word. Egypt will have no more of that now. It is in full open revolt. You are aware that the president of the Egyptian Council (Egyptian prime minister), who, however, is a nominee of the English and in a certain sense an English official, found the Egyptian people so unanimous against this domination and the protectorate that he resigned. You know that the officials who are specially under English authority, seeing that their written protests were distorted, went out on a general strike in order to emphasize their vote of independence. You are aware that the workmen are on strike; that revolts have taken place in the streets, in which all classes and creeds have been united by a common determination to win independence; that crowds have been fired upon; that there have been massacres; and that condemnations have been pronounced.'

"Here we have a university professor—a fellow—condemned to penal servitude for life for having made a speech in favor of independence. Here, again—to mention one case amongst many others—we have Ibrahim Chalamy sent to the gallows for having cried out at the head of a demonstration, 'Liberty, equality, fraternity.'

"M. BARTHE. They condemn even those who cry "Long live France."

"M. GOUDE. There are thousands of examples of this kind. To maintain its protectorate, England has at present 150,000 soldiers; she is obliged to keep soldiers in every village, because amongst university men, notables, commercial men, fellahs, no one will accept this domination at any price and everyone demands independence. Thrilling appeals have been addressed to President Wilson, M. Clemenceau, to the chairman of our peace commission, to the Italian, American, and English Parliaments.'

"M. JEAN LONGUET. They are all deaf.'

"M. GOUDE. But at all times and everywhere everybody remains deaf except, however, the American Senate, the commission of which has proclaimed that Egypt ought to be as independent of English diplomacy as of Turkish diplomacy, and that it must be left master of its own destinies.'

"Monsieur le President of the Council,' said the orator addressing M. Clemenceau, 'not only have you abandoned Egypt that you know personally, since, I repeat to you, you have spoken very hard words against our friends, the English, from this very tribune when this question was under discussion, but, what is graver still—what seems to me monstrous—is that a peace conference brought together to settle the question of the entire world has, upon the orders of the English Government, refused to hear the Egyptian delegation, composed, as you well know, of the president of the Chamber of Deputies of that country, of members of Parliament, of representatives of the intellectual classes, and of Egyptian notables. And by refusing to hear them you have precipitated Egypt into the only path left open to it—the path of violence!'

"I ask you, M. the president of the council, how can Egypt otherwise get out of the situation in which you have placed it? Yes; by your attitude and your decisions you have decreed for that country violence and revolution.

"You said of Egypt that its inhabitants were pacific and docile—too docile, perhaps. A heap of iniquities have indeed been necessary to provoke the revolt of such a peaceable race.

"How is it possible to better such a situation? Is there any means of doing so? To whom should the Egyptian national representatives apply? They already have tried all the means at their disposal.

"The vice president of the Chamber of Deputies and several of his colleagues have been imprisoned simply because they wanted to come to Europe to be heard by a delegation of the peace conference. And never at any single moment has this conference been willing to listen to them.

"More than that, the Egyptian Army has been utilized during the war to occupy Hedjaz. The Egyptian armies have been equally employed to occupy Soudan and put a stop to the German maneuvers. To-day at the conference of the peace, the King of Hedjaz is received—a King entirely of English manufacture created in order that England might have an additional vote. And this King, who has just come into existence, who represents a country inhabited exclusively by nomadic tribes—this King has been given the right to sign a treaty in which a protectorate has been imposed on the neighboring Egyptian people.

"To this point have you gone in your injustices toward Egypt, and yet, M. le president of the council, when you delivered the speech that I have recalled—on the question of Egypt and the Anglo-French relations—you concluded by saying: 'Assuredly if the end of the Anglo-French alliance such as it has been depicted to us and such as it would be applied in practice was to organize with our aid the slavery of the Egyptian people and to reduce them to the position of an inferior race, I would repudiate it with the greatest energy, and I would say to our pretended allies—to our accomplices, I should call them—that I refund my share of responsibility in such a reprehensible undertaking.'

"Thirty years ago you expressed yourself in this manner. Since then Egypt has progressed; it has come closer and closer to European civilization. And you want to-day to make us share the responsibility for the crime committed against Egypt in the peace treaty. For my part, I will not lend myself to it. Besides, I am certain that the English people repudiating English bourgeois traditions [applause on some benches of the extreme left] and united with the French people, will soon redress the injustice and the crime that you are committing by once more enslaving Egypt. [Applause at extreme left.]"

AMERICAN VIEWS.

"President Wilson, in his great address at Mount Vernon, the home of Washington, on July 4, 1918, said:

"There can be but one issue. The settlement must be final. There can be no compromise. No half-way decision would be tolerable. No half-way decision is conceivable. These are the ends for which the associated peoples of the world are fighting, and which must be conceded them before there can be peace. * * * The settlement of every question, *whether of territory or sovereignty or economic arrangement or of political relationship upon the basis of the free acceptance of that settlement by the people immediately concerned and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own influence or mastery.* * * * What we seek is the reign of law based upon the consent of the governed and sustained by the organized opinion of mankind." [Italics ours.]

"Shall Egypt, without the consent of the Egyptians, be turned over to England for the sake of England's influence or mastery?"

"In the 14 points advanced by President Wilson we find the following pertinent and applicable provisions:

"Point 14. A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of *political independence and territorial integrity to great and small States alike.*" [Italics ours.]

"This principle applied to Egypt would lead to a conclusion directly opposite to the indorsement of the British seizure of Egypt and destruction of Egypt's independence.

"Applying the principle of the seventh point to Egypt and only substituting the word 'Egypt' for 'Belgium,' the seventh point would read:

"Egypt, the whole world will agree, must be evacuated and restored without any attempt to limit the sovereignty which she enjoys in common with all other free nations. No other single act will serve as this will serve to restore confidence among the nations in the laws which they have themselves set and determined for the government of their relations with one another. Without this healing act the *whole structure and validity of international law is forever impaired.*" [Italics ours.]"

THE QUESTION OF EGYPT.

[From the Washington Post, Thursday, Oct. 10, 1919.]

"The question of Egypt's status is brought to the front by Senator OWEN's proposed reservation—interpretative resolution—to the peace treaty. The fact that this reservation—resolution—is offered by a Democrat, a strong supporter of the President, increases the weight of the objections which are finding voice in the United States against the snuffing out of the principle of self-determination of well-defined nationalities. President Wilson gained the support of liberty-loving men throughout the world when he set forth that principle and announced that it would be made effective at Paris. In so far as the conference adhered to this principle its work was good and permanent, and wherever the principle was violated there have been disorders and threats of war.

"Senator OWEN's proposed reservation (resolution) provides that the British protectorate over Egypt shall be recognized as merely a means through which the nominal suzerainty of Turkey over Egypt shall be transferred to the Egyptian people, and shall not be construed to mean recognition by the United States of British sovereignty over the Egyptian people.

"The story of British ascendancy over Egypt, now apparently to culminate in the extinction of self-government, is comparatively brief. The first occupation by British troops was in 1882 and the ostensible object was to suppress a rebellion against the Khedive. The occupation was to be only temporary, according to Premier Gladstone. He declared that England had given 'specific and solemn pledges to the world' that it would not annex Egypt, and he added that these pledges had earned for England the confidence of Europe. Evidently there was no intention at that time to absorb Egypt. Yet the troops were not withdrawn, and have never been withdrawn, notwithstanding the persistent efforts of the Egyptian people to recover the practical independence they had enjoyed.

"After the World War began the British Government removed the Khedive and appointed another, as a war measure, and announced that Egypt was placed under a British protectorate. The Egyptian people might have been alarmed by this had not King George himself sent a letter to the Egyptians, telling them that the change was but a step toward the complete independence of the people, and that the protectorate would endure only during the war period. This reassurance was satisfactory, and the Egyptians joined the Allies heartily, furnishing troops and large numbers of laborers who built the

railroads, pipe lines, and other military works in Palestine and elsewhere.

"When the armistice was signed the Egyptians believed the day of their national independence to be at hand. They sent a commission to Paris to attend the peace conference and to arrange for recognition of the independence of Egypt. But the leaders of this commission were seized by British officers and deported to Malta, where they were placed in a German prison camp.

"From that hour there has been a smoldering volcano of revolt in Egypt. The people have had several serious clashes with British soldiers in which machine guns have quelled popular uprisings. In the meantime Great Britain has obtained from President Wilson a conditional recognition of the protectorate over Egypt, and in the peace treaty is a clause requiring Germany to recognize the protectorate.

"The intentions of Great Britain toward Egypt are somewhat confused in the minds of other Governments on account of conflicting statements issued by British authority. When the Egyptian question was before the Senate Committee on Foreign Relations on September 2, the British Embassy here made public a statement declaring that 'the British Government has carefully avoided destroying Egyptian sovereignty,' and that the British flag in Egypt covered only British military establishments. But the British foreign office a few days later announced that Great Britain had succeeded to the sovereignty of Turkey over Egypt and had acquired Egypt as spoils of war, apparently discarding the pledge of King George and developing a new policy of permanent control over Egypt.

"It may be that unfortunately worded or unauthorized statements by British officials are at the bottom of the public confusion. In that case a clear reaffirmation of Britain's intention to relinquish the protectorate and restore Egypt to its people as soon as the peace treaty is ratified would remove all apprehension. In the meantime, taking the treaty as it finds it, the Senate will doubtless adopt a reservation on the lines suggested by Senator OWEN, for it is quite evident that the United States can not consistently subscribe to a general principle of self-determination and independence of nations and yet concur in the involuntary absorption of Egypt by Great Britain."

EGYPTIAN BETRAYAL THE MOST HEINOUS OF THE REACTIONIST WRONGS.
[By George H. Shibley.]

"The case of the people of Egypt is a betrayal the most heinous of the reactionist wrongs.

"On December 21, 1914, five months after the opening of the war, the British Liberal Government, after deposing the Egyptian Khedive and placing in office a Sultan of their own choosing, spoke as follows to the people of Egypt in the name of the King of England:

"I feel convinced that you [the new Sultan] will be able, with the cooperation of your ministers and the protectorate of Great Britain, to overcome all influences which are seeking to destroy the independence of Egypt * * *." (London Times.)

"And yet the so-called peace conference of the allied coalition governments has actually refused to the 13,000,000 Egyptians their independence under the protection of the league of nations, and the British Reactionist Government has shot down hundreds of the Egyptians who had the manhood to assert their lawfully established rights, won in part of the lives and the sacrifices of us Americans!"

EGYPT'S SOVEREIGNTY VIOLATED.

[By Herbert Adams Gibbons, sometime fellow of Princeton University, author of the New Map of Europe, the New Map of Asia, the New Map of Africa, etc.]

"The 'interpretative resolutions' presented by Senator OWEN in the Senate on Tuesday greatly encourage liberal thinkers, who are dissatisfied with the treaty at Versailles not for party or internal but for international reasons. Senator OWEN is a Democrat and a loyal supporter of the administration. He makes it clear that he intends to vote for ratifying the treaty without amendment or reservation. But he feels that the Senate, while unqualifiedly accepting the document from a technical point of view, should not fail to let the world know how the United States stands in regard to many of its provisions.

"Senator OWEN wants the United States to start to work immediately for a change in the league covenant that will give freedom to subject States capable of self-government. Senator OWEN mentions specifically a great wrong done to a sovereign State by the treaty of Versailles.

"That the protectorate which Germany recognizes in Great Britain over Egypt," reads the Owen resolution, "is understood to be merely a means through which the nominal suzerainty of Turkey over Egypt shall be transformed to the Egyptian people

and shall not be construed as a recognition by the United States in Great Britain of any sovereign rights over the Egyptian people or as depriving the people of Egypt of any right of self-government."

"This resolution is apt to displease British public opinion, and Senator OWEN may be accused of indulging in the old sport of twisting the lion's tail. But the accusation is unfounded. If we allowed our natural sentiments of affection for our kinsmen overseas to keep us silent at this time, we should find them getting away with a lot of booty—and ourselves unconsciously or unthinkingly giving sanction to high-handed and unjustified acts of oppression and international robbery. We can not be too strong in our condemnation, for instance, of the Anglo-Persian treaty, concluded secretly by intimidation and bribery at the very moment we are asked to give our cooperation to a society of nations which Persia is invited to join.

"The case of Egypt stands out with remarkable clearness. It is one of the few moot questions of the treaty of Versailles which has not two sides. The British protectorate over Egypt is an illegal action, not only violating the sovereignty of Egypt, but also the promises officially made by generations of British statesmen. No denial of this fact is possible. Open any history or go to British official correspondence published by the British foreign office and you will read the repeated assurances given to the Egyptians and to the other powers that Great Britain did not intend to stay in Egypt and would not establish a protectorate over Egypt.

"The excuse for not hearing the representatives of Egypt at the peace conference was that the question of Egypt did not come within the scope of the conference. If this were valid, why did the treaty of Versailles mention Egypt? And what right had the powers to deal with Egyptian questions at all? But Egypt did enter within the scope of the conference, because it was a country whose status had been changed by the war and during the war. Technically, as well as morally, the Egyptians had as much right to participation in the conference as the Arabs of the Hedjaz, and more right to independence, for Egypt was only nominally under the suzerainty of Turkey. By her declaration of war against Turkey, the bond of vassalage was broken. Ipso facto Egypt was independent.

"But the British, who were occupying the country, proclaimed—without taking into their confidence the Egyptian legislative assembly or asking the consent of the Egyptian people—their protectorate over Egypt. In war what is expedient is justifiable. Although formally protesting against this violation of pledges given and reiterated, the Egyptians cooperated loyally with the British throughout the war, waiting for the peace conference to decide upon the legality of British action. The prime minister, who consented to serve the new régime and who continued in office throughout the war, told me when I was in Cairo in 1916 that he was simply waiting until the end of the war to hold the British to their promises. After the armistice Rushdi Pasha asked to be allowed to go to London to take up the matter of the status of Egypt with the British. Permission was refused. A rigorous censorship was maintained. The Egyptians were held prisoners in their own country.

"Rushdi Pasha and the entire cabinet resigned. A period of military dictatorship began. When the elected representatives of the Egyptian people asked for passports to proceed to Paris, the British suddenly arrested without warrant or warning the president of the delegation and three of its leaders and deported them to Malta. This led to the insurrection put down by machine guns and burning of villages. The British used the means of suppressing what they called 'rebellion' which the world roundly condemned the Germans for in Belgium. Finally, force of Egyptian public opinion compelled the release of the delegates and the granting of passports for Paris. But the Egyptian delegation, after its arrival in Paris, was never heard by the conference. The stipulation compelling Germany to recognize the British protectorate was inserted in the treaty of Versailles in defiance of the basic principle President Wilson had declared would be followed in making peace. A whole nation was robbed of its sovereignty and its international status changed against its will and, without having been heard, Egypt was Shantung over again.

"I would not have my readers think that I am writing without knowledge of the facts. A White Book has just been published by the Egyptian delegation, which contains documents setting forth the history of the past year. The British foreign office does not deny the authenticity of these documents. As for the men deported to Malta, I know them personally. No foreigner, even a Britisher, who knows Egypt can deny that

these men are honorable and capable and that they represent the Egyptian people. The president of the delegation, Zagloul Pasha, is one of the best loved men in Egypt, a veritable father of his people; Mohammed Mahmoud Pasha, a graduate of Oxford, was formerly governor of the Suez Canal. The other members of the delegation include the Sheikh of the Arabs of the Fayoum, the foremost landowners and lawyers in Egypt, and the librarian of the National Library. They are the cream of the Christian element and the Greek Orthodox and Catholic element, as well as the Mohammedan element. The Egyptians are united, irrespective of creed, in their determination not to be bartered from one sovereignty to another like cattle." * * *

NATIONAL PROHIBITION.

Mr. STERLING. Mr. President, apropos of the final passage of the prohibition bill I send to the desk an editorial from the New York Tribune entitled "Cold Water Strikes." This editorial is short, and I ask that it may be read.

The PRESIDING OFFICER (Mr. CURTIS in the chair). Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

"COLD WATER STRIKES."

"The World published on Sunday an article on the steel strike which contains this notable piece of information:

"Making all allowance for the disorders of the past few days, no strike in the steel industry and few strikes of such extent in any other industry have been so free from violence.

"Partly this is because the men have shown an extraordinary inclination to good behavior, which speaks well indeed for their leaders, since the great majority of the men are so new in their union that they have had a chance to know little if anything of the discipline that is instilled into older men.

"More, however, is due to the fact that the prohibition laws are being enforced in the Pittsburgh district. If the men had been able to get liquor there would unquestionably have been a very different story to tell. If they should come to be able to get liquor there still might be a very different story. There is no shadow, even, of disagreement among the authorities as to this, and the authorities immediately in charge of the situation are men who have lived among strikers all their lives.

"To prohibition must be added the Pennsylvania State Constabulary. The combination of alcoholic drought and that splendidly efficient and fearless force is too strong for even twice the number of men now on strike to overcome.

"Our neighbor has not taken kindly to the cold-water régime. But that régime is a soothing factor in times of passion and disturbance. A very large share of the violence accompanying strikes has been due to whisky. The extreme labor leaders are all protesting against the dry era. Most of them possibly realize that a powerful inciter to disorder is mustered out when the saloon is closed. If we must have strikes it will be far better to have them conducted hereafter on a half of 1 per cent basis."

Mr. JONES of Washington. Mr. President, in connection with the editorial just read, I ask that there may be inserted in the RECORD without reading an editorial in the Christian Science Monitor of October 28 under the title of "The President's Veto." I wish to say that I think this editorial states the situation very clearly and very fairly, and with the conclusions of the editorial I am in hearty accord. I think it states the legal situation conclusively.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S VETO.

"It is almost incomprehensible that at a time when the country is faced with perhaps the gravest economic dispute which has engaged attention in the history of the Republic, the President should have vetoed the enforcement bill passed by large majorities through both Houses of Congress, with a view to assisting the officers of the law in carrying out the prohibition act. If there were any doubt as to the temper of the Nation in this matter of prohibition, the President's action might be more easily understood, but the passage of the constitutional amendment was so obviously the will of the people, that it is difficult to see why Mr. Wilson should attempt to stand between the brewers and the enforcement of the law. Mr. Wilson argues that demobilization has taken place, and, therefore, that there is no necessity for enforcement. But the law for war-time prohibition stands upon the statute book, and, unless it is repealed by Congress, will continue to stand there until national prohibition comes into effect.

"It is quite true, as Mr. Wilson says, that when he was in Paris he requested Congress to repeal the war-time prohibition act. Congress, however, which represents the Nation, and which is peculiarly sensitive to the feeling of the Nation, declined to act on his suggestion. The action of the President, therefore, constitutes something in the nature of a challenge to Congress for having declined to accede to his representations. It must not be forgotten, however, that the President is, after all, an indi-

vidual, no matter how distinguished, and no matter how worthy of respect, whereas Congress constitutes all the representatives of the Nation in close touch with the electors from one end of the country to the other, and, consequently, enabled to discover the wishes of the people with a sensitiveness of touch to which the President can scarcely lay a personal claim.

"Now, at this very moment, when Mr. Wilson is appealing to the whole Nation, as against the decision of a class to enter upon the coal strike, it seems a little inconsistent to decide in favor of a class against the manifest wishes of the Nation, as repeatedly decided, by overwhelming votes in Congress and in the country. During the late disturbances, such as those in Boston and elsewhere, the authorities responsible for the preservation of order rejoiced with exceeding gladness over the fact that the closing of the saloons had relieved them of one of the worst dangers that face any Government in days of riot. It was the attempt of the mob in Russia to gain the control of the drink cellars which gave the Bolshevik government the most difficult of its many difficult quarters of an hour; and it is to the credit of Lenin, and the act no doubt reacted immensely to his advantage, that he never hesitated in his uncompromising attitude toward the use of any intoxicants. The troops of the Soviet government were employed in wrecking the cellars of Petrograd and Moscow at the most critical moment, perhaps, in the history of the Bolshevik government, and the determination and thoroughness with which this destruction was carried through was, most unquestionably, largely responsible for the fact that Lenin was able to maintain his control.

"Mr. Wilson, it is true, draws a distinct line between enforcement of war-time prohibition and national prohibition, but, as has been pointed out, war-time prohibition is still the law of the country, and, being the law of the country, its enforcement is a duty. The drink interests have used every argument to prove that the act ought to lapse because the war is at an end; but the war is not at an end, and even if the Senate should agree forthwith to the treaty with Germany, the fact would not be altered that the treaty with Austria would remain to be considered. In these circumstances it is not surprising that the House, which knows exactly the feeling of the country in the matter, should have replied to the President's veto by re-enacting its decision by the necessary two-thirds majority. So that the matter now rests finally with the Senate. When it is to be remembered that the Senate declined the President's request to repeal war-time prohibition by 55 votes to 11, it would seem that there can not be any doubt whatever as to its action on the present occasion. There is not a Senator who is not as aware as any Representative of the earnestness of the Nation in this matter, and the men who by so huge a majority deliberately declined to consider the repeal of war-time prohibition are scarcely likely to be induced to support the veto.

"The only result of supporting this veto would, indeed, be to make the duties of the Department of Justice more arduous in enforcing the act, which would remain law in spite of the veto. There is no doubt that the agencies which are now attempting secretly to evade the law would feel themselves supported in evincing a tolerably open disregard for it if the Senate were to hesitate in its duty. But this would not remove the responsibility of the Department of Justice for the enforcement of the law, and the curious spectacle would be witnessed of the officers of the law endeavoring to enforce a law the means of doing which effectively had been refused them by the President with the support of the Senate. Such an action might enable a certain section of the public to celebrate a 'wet' Christmas, in the enjoyment of 2.75 per cent beer, combined with a more or less surreptitious resort to the large stocks of alcoholic drinks which are still in existence in the country. No doubt certain saloon keepers would feel supported in their determination to break the law, in their belief of the inability of the officers of the law to enforce the law. But this would not redound particularly to the credit of anyone concerned, even though it might be in strict accord with the boast of the liquor interests that they have always defied the law. Indeed, the defiance of the law by the liquor interests, in conjunction with their consistent contributions to the populating of prisons and reformatories, will constitute their chief future claim to historical recognition.

"Such being the facts of the case, it can hardly be doubted that the Senate will show it is at one with the Nation in rejecting the President's veto. And it should certainly do this with the utmost celerity in order that there may be no incitement to or encouragement of the misguided saloon keeper to pit himself against the law in the belief that there is no means of enforcing it."

ADDITIONAL COMPENSATION FOR EX-SOLDIERS.

Mr. FRELINGHUYSEN. Mr. President, I ask permission to have printed in the RECORD certain resolutions of the Board of Commissioners of the City of Long Branch, N. J., urging Congress to grant additional compensation, in the way of Government bonds or otherwise, to the men lately in the armed forces of the United States.

There being no objection, the resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

I, Alonzo D. Sherman, city clerk of the city of Long Branch, do hereby certify that the following resolution was adopted at a regular meeting of the Board of Commissioners of the City of Long Branch held on October 21, 1919, and is part of the records of such meeting as remain on file in the office of the city clerk:

- "Whereas it is fitting and proper that the character and spirit of the patriotic services of the soldiers and sailors and marines of the United States in the World War be appropriately recognized; and that their financial sacrifices be in a measure, at least, repaid; and
- "Whereas the men who made up the armed forces of the United States came from each State of the Union, and therefore their services and sacrifices should be recognized and provided for by the Federal Government in order to assure all a uniform and adequate compensation so far as possible; and
- "Whereas many of the men who served their country sustained financial losses which they could not afford and in consequence thereof are now in actual need owing to the high prices of necessities and the facts that they were not able to save anything from their meager pay after insurance cost and allotments were deducted and have not, in many instances, been able to secure regular and remunerative employment; and
- "Whereas there is now pending in the Congress of the United States a bill, introduced by Hon. MARVIN JONES, which provides that each man in service shall receive a \$50.4 per cent Government bond for each month or major fractional month that he served in such war; and
- "Whereas such provision would be more substantial recognition than this or any other State contemplates, and could be given sooner: Now, therefore, be it

"Resolved by the City Commission of the City of Long Branch, N. J., That the Congress of the United States be respectfully requested and urged to enact such bill or one of the other pending measures granting equally liberal compensation into law at the earliest possible moment, and that each United States Senator of this State and the Congressman from this congressional district be earnestly asked to use his best efforts to secure the early enactment of such measure; and be it further

"Resolved, That a suitable copy of this resolution, properly attested, be transmitted to the presiding officer of each House of Congress and to the United States Senators from this State and the Representative of this district in the House of Representatives, and that Hon. JOSEPH S. FRELINGHUYSEN, senior Senator from this State, and Hon. THOMAS J. SCULLY, Member of the House of Representatives from this district, be requested to have same read into the CONGRESSIONAL RECORD."

Dated, Long Branch, N. J., October 22, 1919.

[SEAL.]

A. D. SHERMAN, City Clerk.

REIMBURSEMENT FOR RAILROAD EQUIPMENT.

Mr. CUMMINS. Mr. President, I ask unanimous consent to take up for consideration the bill (S. 3319) to provide for the reimbursement of the United States for motive power, cars, and other equipment ordered for railroads and systems of transportation under Federal control, and for other purposes.

Mr. FLETCHER. Can we not dispose of morning business and then take up the bill at the close of the routine business?

Mr. CUMMINS. There is no opportunity to do it save in the morning hour.

Mr. FLETCHER. I know; but the regular order is reports of committees.

Mr. CUMMINS. This is a measure which is exceedingly urgent—it is imperative—but if the Senator from Florida objects, there is no other course.

Mr. FLETCHER. I ask to proceed with the regular order, and after we get through with the routine business the bill can be taken up.

The PRESIDING OFFICER. Reports of committees are in order.

REPORTS OF COMMITTEES.

Mr. FLETCHER, from the Committee on Commerce, to which was referred the bill (H. R. 3621) to establish load lines for certain vessels, reported it without amendment and submitted a report (No. 282) thereon.

Mr. DILLINGHAM, from the Committee on Immigration, to which was referred the bill (H. R. 6750) to deport certain undesirable aliens and to deny readmission to those deported, reported it without amendment and submitted a report (No. 283) thereon.

Mr. PAGE, from the Committee on Naval Affairs, to which was referred the bill (S. 1275) awarding a medal of honor to George Murphy, late private, United States Marine Corps, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to which was referred the bill (S. 1742) to correct the naval record of Reuben E. Lawrence, submitted an adverse report (No. 281) thereon, which was agreed to, and the bill was postponed indefinitely.

SUSAN F. BURDINE.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 130, submitted by myself on July 22, 1919, I report it back favorably without amendment, and I ask for its present consideration.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Susan F. Burdine, widow of William T. Burdine, late a private of the Capitol police force, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

OFFICERS OF THE COAST GUARD.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably with an amendment the bill (S. 3202) granting leave of absence to officers of the Coast Guard, and for other purposes, and I ask for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the committee was, in line 4, after the words "leave of absence," to insert "without pay," so as to make the bill read:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to grant leave of absence without pay to such officer or officers of the United States Coast Guard as he may deem advisable, and to permit him or them to accept employment with the Venezuelan Government with such compensation and emoluments as may be agreed upon between the Venezuelan Government and such officer or officers thus granted leave of absence.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. LODGE. I ask that the letter from the Secretary of State and the letter from the Secretary of the Treasury recommending the passage of the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letters referred to are as follows:

DEPARTMENT OF STATE,
Washington, October 28, 1919.

The Hon. H. C. LODGE,
Chairman Committee on Foreign Relations,
United States Senate.

SIR: Referring to your letter of the 18th instant and to Senate bill 3202, granting leave of absence to an officer or officers of the United States Coast Guard, concerning which you request the department's opinion, I have the honor to say that in the interest of good relations between the Government of the United States and the Government of Venezuela I approve of any legislation which will make the granting of leave of absence possible to enable an officer or officers of the United States Coast Guard to accept employment with the Venezuelan Government.

In this relation I have the honor to inclose a copy of a letter from the Secretary of the Treasury dated October 4, 1919, expressing approval of this proposed legislation.

I have the honor to be, sir,

Your obedient servant,

ROBERT LANSING.

Inclosure: Copy of letter from Secretary of Treasury.

TREASURY DEPARTMENT,
OCTOBER 4, 1919.

The honorable the SECRETARY OF STATE.

SIR: I have the honor to acknowledge the receipt of your letter of September 29, 1919, stating that a request was made by the Venezuelan Government, through the American Legation in Caracas, to obtain the services of an American naval officer as superintendent of construction in the national navy yard and dry dock at Puerto Cabello, Venezuela, and that the application of Captain of Engineers F. E. Fitch, United States Coast Guard, for the position of technical director of this navy yard has been approved by the Government of Venezuela. It is noted that the State Department, desiring to increase American influence in Venezuela at the present time, would be glad to have favorable consideration of Capt. Fitch's application for permission to take the position.

This department, wishing to comply with the request of the Department of State in this matter, is disposed to grant Captain of Engineers Fitch leave of absence for a reasonable period to

enable him to perform the duty stated under the Venezuelan Government.

It would appear, in view of the provisions of Article I, section 9, of the Constitution, that it will be necessary to obtain the consent of Congress in order to permit this officer to accept office under the Venezuelan Government. This department will approve legislation suitable to the case.

Respectfully,

CARTER GLASS, *Secretary*.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 3329) to authorize an advance to the "reclamation fund" for the prompt completion of drainage work on the Rio Grande project (Texas-New Mexico), and for other purposes; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. NELSON:

A bill (S. 3330) granting an increase of pension to John F. Early; to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 3331) granting the consent of Congress to the Interstate Construction Corporation to construct a bridge across the Columbia River between the States of Oregon and Washington at or within 2 miles westerly from Cascade Locks, in the State of Oregon, and granting a license to construct and maintain the approach to said bridge over property belonging to the Government of the United States; to the Committee on Commerce.

By Mr. NEW:

A bill (S. 3348) to create a Department of Air, defining the powers and duties of the director thereof, providing for the organization, disposition, and administration of a United States Air Force, creating the United States Air Reserve Force, and providing for the development of civil and commercial aviation; to the Committee on Military Affairs.

By Mr. McLEAN:

A bill (S. 3332) granting the consent of Congress to the board of county commissioners of the county of Hartford, in the State of Connecticut, to construct a bridge across the Connecticut River, between Windsor Locks and East Windsor, at Warehouse Point, in said county and State; to the Committee on Commerce.

By Mr. SMOOT:

A bill (S. 3333) granting an increase of pension to Louisa A. Thomas (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 3334) to encourage reciprocity in trade relations; to the Committee on Foreign Relations.

A bill (S. 3335) granting an increase of pension to Capitola V. Harsh (with accompanying papers);

A bill (S. 3336) granting an increase of pension to Melissa E. Longdon (with accompanying papers);

A bill (S. 3337) granting an increase of pension to Jacob W. Robinson (with accompanying papers); and

A bill (S. 3338) granting a pension to Starks W. Johnson (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON of California:

A bill (S. 3339) granting a pension to Cordelia L. Marsters;

A bill (S. 3340) granting a pension to Emma J. McCumsey;

A bill (S. 3341) granting a pension to Isabella C. Weber;

A bill (S. 3342) granting a pension to Amelia E. Drake;

A bill (S. 3343) granting a pension to George W. Wells;

A bill (S. 3344) granting an increase of pension to Roscoe E. Paschal;

A bill (S. 3345) granting an increase of pension to Stephen S. Joyce;

A bill (S. 3346) granting an increase of pension to John McDonald; and

A bill (S. 3347) granting an increase of pension to Howard G. Cleaveland; to the Committee on Pensions.

WITHDRAWAL OF PAPERS—CATHERINE SMITH.

On motion of Mr. CURTIS, it was

Ordered, That the papers accompanying the bill S. 1473, Sixty-fourth Congress, first session, granting a pension to Catherine Smith, be withdrawn from the files of the Senate, no adverse report having been made thereon.

THE ARMISTICE AGREEMENTS (S. DOC. NO. 147).

Mr. LODGE. Mr. President, there is a good deal of inquiry for the documents, and as I have succeeded in securing them I ask to have printed the terms of the armistice agreements concluded between the allied and associated Governments and the Governments of Germany, Austria-Hungary, and Bulgaria. It is the text of the different armistices. They are brief. I should state that in the case of three of them between Germany

and Austria-Hungary it is the English text laid before Parliament. The other one is taken from the French text as laid before the French Chamber, and I have had it translated into English. I ask that they be printed in the Record and also printed as a document.

The PRESIDING OFFICER. Does the Senator desire to have them printed as a Senate document or as a public document?

Mr. LODGE. As a public document.

The PRESIDING OFFICER. Without objection, the request of the Senator from Massachusetts will be complied with.

The armistice agreements are as follows:

TERMS OF THE ARMISTICE AGREEMENTS CONCLUDED BETWEEN THE ALLIED AND ASSOCIATED GOVERNMENTS AND THE GOVERNMENTS OF GERMANY, AUSTRIA-HUNGARY, AND BULGARIA.

Terms of armistice with Germany 11th November, 1918.

Between Marshal Foch, commander in chief of the allied armies, acting in the name of the allied and associated powers, with Admiral Wemyss, first sea lord, on the one hand and Herr Erzberger, secretary of state, president of the German delegation, Count von Oberndorff, envoy extraordinary and minister plenipotentiary,

Major General von Winterfeldt, Captain Vanselow (German Navy), duly empowered and acting with the concurrence of the German chancellor on the other hand.

An armistice has been concluded on the following conditions:

Conditions of the armistice concluded with Germany.

A. CLAUSES RELATING TO THE WESTERN FRONT.

I. Cessation of hostilities by land and in the air 6 hours after the signing of the armistice.

II. Immediate evacuation of the invaded countries—Belgium, France, Luxemburg, as well as Alsace-Lorraine—so ordered as to be completed within 15 days from the signature of the armistice.

German troops which have not left the above-mentioned territories within the period fixed shall be made prisoners of war.

Occupation by the allied and United States forces jointly shall keep pace with the evacuation in these areas.

All movements of evacuation and occupation shall be regulated in accordance with a note (annexe 1) determined at the time of the signing of the armistice.

III. Repatriation, beginning at once, to be completed within 15 days, of all inhabitants of the countries above enumerated (including hostages, persons under trial, or condemned).

IV. Surrender in good condition by the German armies of the following equipment:

5,000 guns (2,500 heavy, 2,500 field).
25,000 machine guns.
3,000 trench mortars.
1,700 aeroplanes (fighters, bombers—firstly all D. 7's and night-bombing machines).

The above to be delivered *in situ* to the allied and United States troops in accordance with the detailed conditions laid down in the note (annexe 1) determined at the time of the signing of the armistice.

V. Evacuation by the German armies of the districts on the left bank of the Rhine. These districts on the left bank of the Rhine shall be administered by the local authorities under the control of the allied and United States armies of occupation.

The occupation of these territories by allied and United States troops shall be assured by garrisons holding the principal crossings of the Rhine (Mainz, Coblenz, Cologne), together with bridgeheads at these points of a 30-kilometre (about 19 miles) radius on the right bank and by garrisons similarly holding the strategic points of the area.

A neutral zone shall be reserved on the right bank of the Rhine, between the river and a line drawn parallel to the bridgeheads and to the river and 10 kilometres (6½ miles) distant from them, between the Dutch frontier and the Swiss frontier.

The evacuation by the enemy of the Rhine districts (right and left banks) shall be so ordered as to be completed within a further period of 16 days, in all 31 days after the signing of the armistice.

All movements of evacuation and occupation shall be regulated according to the note (Annexe 1) determined at the time of the signing of the armistice.

VI. In all territories evacuated by the enemy, evacuation of the inhabitants shall be forbidden; no damage or harm shall be done to the persons or property of the inhabitants.

No person shall be prosecuted for having taken part in any military measures previous to the signing of the armistice.

No destruction of any kind shall be committed.

Military establishments of all kinds shall be delivered intact, as well as military stores, food, munitions, and equipment, which shall not have been removed during the periods fixed for evacuation.

Stores of food of all kinds for the civil population, cattle, etc., shall be left *in situ*.

No measure of a general character shall be taken, and no official order shall be given which would have as a consequence the depreciation of industrial establishments or a reduction of their personnel.

VII. Roads and means of communications of every kind, railroads, waterways, roads, bridges, telegraphs, telephones, shall be in no manner impaired.

All civil and military personnel at present employed on them shall remain.

Five thousand locomotives and 150,000 wagons, in good working order, with all necessary spare parts and fittings, shall be delivered to the associated powers within the period fixed in Annexe No. 2 (not exceeding 31 days in all).

Five thousand motor lorries are also to be delivered in good condition within 36 days.

The railways of Alsace-Lorraine shall be handed over within 31 days, together with all personnel and material belonging to the organization of this system.

Further, the necessary working material in the territories on the left bank of the Rhine shall be left *in situ*.

All stores of coal and material for the upkeep of permanent way, signals, and repair shops shall be left *in situ* and kept in an efficient

state by Germany, so far as the working of the means of communication on the left bank of the Rhine is concerned.

All lighters taken from the Allies shall be restored to them.

The note attached as Annex 2 defines the details of these measures.

VIII. The German command shall be responsible for revealing within 48 hours after the signing of the armistice all mines or delayed-action fuses disposed on territories evacuated by the German troops and shall assist in their discovery and destruction.

The German command shall also reveal all destructive measures that may have been taken (such as poisoning or pollution of wells, springs, etc.).

Breaches of these clauses will involve reprisals.

IX. The right of requisition shall be exercised by the allied and United States armies in all occupied territories, save for settlement of accounts with authorized persons.

The upkeep of the troops of occupation in the Rhine districts (excluding Alsace-Lorraine) shall be charged to the German Government.

X. The immediate repatriation, without reciprocity, according to detailed conditions which shall be fixed, of all allied and United States prisoners of war, including those under trial and condemned. The allied powers and the United States of America shall be able to dispose of these prisoners as they think fit. This condition annuls all other conventions regarding prisoners of war, including that of July, 1918, now being ratified. However, the return of German prisoners of war interned in Holland and Switzerland shall continue as heretofore. The return of German prisoners of war shall be settled at the conclusion of the peace preliminaries.

XI. Sick and wounded who can not be removed from territory evacuated by the German forces shall be cared for by German personnel, who shall be left on the spot with the material required.

B. CLAUSES RELATING TO THE EASTERN FRONTIERS OF GERMANY.

XII. All German troops at present in any territory which before the war formed part of Austria-Hungary, Roumania, or Turkey shall withdraw within the frontiers of Germany as they existed on 1st August, 1914, and all German troops at present in territories which before the war formed part of Russia must likewise return to within the frontiers of Germany as above defined as soon as the Allies shall think the moment suitable, having regard to the internal situation of these territories.

XIII. Evacuation of German troops to begin at once, and all German instructors, prisoners, and agents, civilian as well as military, now on the territory of Russia (frontiers as defined on 1st August, 1914) to be recalled.

XIV. German troops to cease at once all requisitions and seizures and any other coercive measures with a view to obtaining supplies intended for Germany in Roumania and Russia (frontiers as defined 1st August, 1914).

XV. Annulment of the treaties of Bucharest and Brest-Litovsk and of the supplementary treaties.

XVI. The Allies shall have free access to the territories evacuated by the Germans on their eastern frontier, either through Danzig or by the Vistula, in order to convey supplies to the populations of these territories or for the purpose of maintaining order.

C. CLAUSE RELATING TO EAST AFRICA.

XVII. Evacuation of all German forces operating in East Africa within a period specified by the Allies.

D. GENERAL CLAUSES.

XVIII. Repatriation without reciprocity, within a maximum period of one month, in accordance with detailed conditions hereafter to be fixed, of all interned civilians, including hostages and persons under trial and condemned, who may be subjects of Allied or Associated States other than those mentioned in Clause III.

FINANCIAL CLAUSES.

XIX. With the reservation that any subsequent concessions and claims by the Allies and United States remain unaffected, the following financial conditions are imposed:

Reparation for damage done.

While the armistice lasts no public securities shall be removed by the enemy which can serve as a pledge to the Allies to cover reparation for war losses.

Immediate restitution of the cash deposit in the National Bank of Belgium and, in general, immediate return of all documents, specie, stocks, shares, paper money, together with plant for the issue thereof, affecting public or private interests in the invaded countries.

Restitution of the Russian and Roumanian gold yielded to Germany or taken by that power.

This gold to be delivered in trust to the Allies until peace is concluded.

E. NAVAL CONDITIONS.

XX. Immediate cessation of all hostilities at sea, and definite information to be given as to the position and movements of all German ships.

Notification to be given to neutrals that freedom of navigation in all territorial waters is given to the navies and mercantile marines of the allied and associated powers, all questions of neutrality being waived.

XXI. All naval and mercantile marine prisoners of war of the allied and associated powers in German hands to be returned without reciprocity.

XXII. To surrender at the ports specified by the Allies and the United States all submarines at present in existence (including all submarine cruisers and mine layers), with armament and equipment complete. Those that can not put to sea shall be deprived of armament and equipment and shall remain under the supervision of the Allies and the United States. Submarines ready to put to sea shall be prepared to leave German ports immediately on receipt of a wireless order to sail to the port of surrender, the remainder to follow as early as possible. The conditions of this article shall be completed within 14 days of the signing of the armistice.

XXIII. The following German surface warships, which shall be designated by the Allies and the United States of America, shall forthwith be disarmed and thereafter interned in neutral ports, or, failing them, allied ports, to be designated by the Allies and the United States of America, and placed under the surveillance of the Allies and the United States of America, only care and maintenance parties being left on board, namely:

6 battle cruisers.
10 battleships.
8 light cruisers (including two mine layers).
50 destroyers of the most modern type.

All other surface warships (including river craft) are to be concentrated in German naval bases, to be designated by the Allies and the United States of America, completely disarmed and placed under the supervision of the Allies and the United States of America. All vessels of the auxiliary fleet are to be disarmed. All vessels specified for internment shall be ready to leave German ports seven days after the signing of the armistice. Directions for the voyage shall be given by wireless.

XXIV. The Allies and the United States of America shall have the right to sweep up all mine fields and destroy all obstructions laid by Germany outside German territorial waters, and the positions of these are to be indicated.

XXV. Freedom of access to and from the Baltic to be given to the navies and mercantile marines of the allied and associated powers. This to be secured by the occupation of all German forts, fortifications, batteries, and defence works of all kinds in all the routes from the Cattagat into the Baltic, and by the sweeping up and destruction of all mines and obstructions within and without German territorial waters without any questions of neutrality being raised by Germany, and the positions of all such mines and obstructions to be indicated, and the plans relating thereto are to be supplied.

XXVI. The existing blockade conditions set up by the allied and associated powers are to remain unchanged, and all German merchant ships found at sea are to remain liable to capture. The Allies and United States contemplate the provisioning of Germany during the armistice as shall be found necessary.

XXVII. All aerial forces are to be concentrated and immobilized in German bases to be specified by the Allies and the United States of America.

XXVIII. In evacuating the Belgian coasts and ports, Germany shall abandon, *in situ* and intact, the port material and material for inland waterways; also all merchant ships, tugs and lighters, all naval aircraft and air materials and stores, all arms and armaments, and all stores and apparatus of all kinds.

XXIX. All Black Sea ports are to be evacuated by Germany; all Russian warships of all descriptions seized by Germany in the Black Sea are to be handed over to the Allies and the United States of America; all neutral merchant ships seized in the Black Sea are to be released; all warlike and other materials of all kinds seized in those ports are to be returned, and the German materials as specified in Clause XXVIII are to be abandoned.

XXX. All merchant ships at present in German hands belonging to the allied and associated powers are to be restored to ports specified by the Allies and the United States of America without reciprocity.

XXXI. No destruction of ships or of materials to be permitted before evacuation, surrender, or restoration.

XXXII. The German Government shall formally notify all the neutral governments, and particularly the Governments of Norway, Sweden, Denmark, and Holland, that all restrictions placed on the trading of their vessels with the allied and associated countries, whether by the German Government or by private German interests, and whether in return for specific concessions, such as the export of shipbuilding materials, or not, are immediately cancelled.

XXXIII. No transfers of German merchant shipping of any description to any neutral flag are to take place after signature of the armistice.

F. DURATION OF ARMISTICE.

XXXIV. The duration of the armistice is to be 36 days, with option to extend. During this period, on failure of execution of any of the above clauses, the armistice may be repudiated by one of the contracting parties on 48 hours' previous notice. It is understood that failure to execute Articles III and XVIII completely in the periods specified is not to give reason for a repudiation of the armistice, save where such failure is due to malice aforethought.

To ensure the execution of the present convention under the most favourable conditions, the principle of a permanent international armistice commission is recognized. This commission shall act under the supreme authority of the high command, military and naval, of the allied armies.

The present armistice was signed on the 11th day of November, 1918, at 5 o'clock a. m. (French time).

(Signed) F. FOCH.
R. E. WEMYSS.

ERZBERGER.
OBERNDORFF.
WINTERFELDT.
VANSELOW.

11TH NOVEMBER, 1918.

The representatives of the Allies declare that, in view of fresh events, it appears necessary to them that the following condition shall be added to the clauses of the armistice:

"In case the German ships are not handed over within the periods specified, the Governments of the Allies and of the United States shall have the right to occupy Heligoland to ensure their delivery."

(Signed) R. E. WEMYSS, Admiral.
F. FOCH.

"The German delegates declare that they will forward this declaration to the German Chancellor, with the recommendation that it be accepted, accompanying it with the reasons by which the Allies have been actuated in making this demand."

(Signed) ERZBERGER.
OBERNDORFF.
WINTERFELDT.
VANSELOW.

ANNEXE NO. 1.

I. The evacuation of the invaded territories, Belgium, France, and Luxembourg, and also of Alsace-Lorraine, shall be carried out in three successive stages according to the following conditions:

1st stage.—Evacuation of the territories situated between the existing front and line No. 1 on the enclosed map, to be completed within 5 days after the signature of the armistice.

2nd stage.—Evacuation of territories situated between line No. 1 and line No. 2, to be carried out within 4 further days (9 days in all after the signing of the armistice).

3rd stage.—Evacuation of the territories situated between line No. 2 and line No. 3, to be completed within 6 further days (15 days in all after the signing of the armistice).

Allied and United States troops shall enter these various territories on the expiration of the period allowed to the German troops for the evacuation of each.

In consequence, the allied troops will cross the present German front as from the 6th day following the signing of the armistice, line No. 1 as from the 10th day, and line No. 2 as from the 16th day.

II. Evacuation of the Rhine district.—This evacuation shall also be carried out in several successive stages:

(1) Evacuation of territories situated between lines 2 and 3 and line 4, to be completed within 4 further days (19 days in all after the signing of the armistice).

(2) Evacuation of territories situated between lines 4 and 5 to be completed within 4 days further (23 days in all after the signing of the armistice).

(3) Evacuation of territories situated between lines 5 and 6 (line of the Rhine) to be completed within 4 further days (27 days in all after the signing of the armistice).

(4) Evacuation of the bridgeheads and of the neutral zone on the right bank of the Rhine to be completed within 4 further days (31 days in all after the signing of the armistice).

The allied and United States Army of occupation shall enter these various territories after the expiration of the period allowed to the German troops for the evacuation of each; consequently the Army will cross line No. 3, 20 days after the signing of the armistice. It will cross line No. 4 as from the 24th day after the signing of the armistice; line No. 5 as from the 28th day; line No. 6 (Rhine) the 32d day, in order to occupy the bridgeheads.

III. Surrender by the German Armies of war material specified by the armistice.—This war material shall be surrendered according to the following conditions: The first half before the 10th day, the second half before the 20th day. This material shall be handed over to each of the allied and United States Armies by each larger tactical group of the German Armies in the proportions which may be fixed by the permanent international armistice commission.

ANNEXE NO. 2.

Conditions regarding communications, railways, waterways, roads, river and sea ports, and telegraphic and telephonic communications:

I. All communications as far as the Rhine, inclusive, or comprised, on the right bank of this river, within the bridgeheads occupied by the allied armies shall be placed under the supreme and absolute authority of the commander in chief of the allied armies, who shall have the right to take any measure he may think necessary to assure their occupation and use. All documents relative to communications shall be held ready for transmission to him.

II. All the material and all the civil and military personnel at present employed in the maintenance and working of all lines of communication are to be maintained in their entirety upon these lines in all territories evacuated by the German troops.

All supplementary material necessary for the upkeep of these lines of communication in the districts on the left bank of the Rhine shall be supplied by the German Government throughout the duration of the armistice.

III. Personnel.—The French and Belgian personnel belonging to the services of the lines of communication, whether interned or not, are to be returned to the French and Belgian Armies during the 15 days following the signing of the armistice. The personnel belonging to the organization of the Alsace-Lorraine railway system is to be maintained or reinstated in such a way as to ensure the working of the system.

The commander in chief of the allied armies shall have the right to make all changes and substitutions that he may desire in the personnel of the lines of communication.

IV. Material.—(a) Rolling stock.—The rolling stock handed over to the allied armies in the zone comprised between the present front and line No. 3, not including Alsace-Lorraine, shall amount at least to 5,000 locomotives and 150,000 wagons. This surrender shall be carried out within the period fixed by clause 7 of the armistice, and under conditions the details of which shall be fixed by the permanent international armistice commission.

All this material is to be in good condition and in working order, with all the ordinary spare parts and fittings. It may be employed together with the regular personnel or with any other upon any part of the railway system of the allied armies.

The material necessary for the working of the Alsace-Lorraine railway system is to be maintained or replaced for the use of the French Army.

The material to be left *in situ* in the territories on the left bank of the Rhine, as well as that on the inner side of the bridgeheads, must permit of the normal working of the railways in these districts.

(b) Permanent way, signals, and workshops.—The material for signals, machine tools, and tool outfits, taken from the workshops and depots of the French and Belgian lines, are to be replaced under conditions, the details of which are to be arranged by the permanent international armistice commission.

The allied armies are to be supplied with railroad material, rails, incidental fittings, plant, bridge-building material, and timber necessary for the repair of the lines destroyed beyond the present front.

(c) Fuel and maintenance material.—The German Government shall be responsible throughout the duration of the armistice for the release of fuel and maintenance material to the depots normally allotted to the railways in the territories on the left bank of the Rhine.

V. Telegraphic and telephonic communications.—All telegraphs, telephones, and fixed W/T stations are to be handed over to the allied armies, with all the civil and military personnel, and all their material, including all stores on the left bank of the Rhine.

Supplementary stores necessary for the upkeep of the system are to be supplied throughout the duration of the armistice by the German Government according to requirements.

The commander in chief of the allied armies shall place this system under military supervision and shall ensure its control, and shall make all changes and substitutions in personnel which he may think necessary. He will send back to the German Army all the military personnel who are not in his judgment necessary for the working and upkeep of the railway.

All plans of the German telegraphic and telephonic systems shall be handed over to the commander in chief of the allied armies.

Convention prolonging the armistice with Germany, 13th December, 1918.

CONVENTION.

The undersigned, in virtue of the powers with which they were endowed for the signing of the armistice of the 11th November, 1918, have concluded the following additional agreement:

1. The duration of the armistice signed on the 11th November, 1918, has been prolonged for a month, i. e., till 5 a. m. on the 17th January, 1919.

The one month's extension will be further extended until the conclusion of peace preliminaries, provided this arrangement meets with the approbation of the allied Governments.

2. The clauses of the convention (11th November) which have been incompletely fulfilled will be carried out during the period of extension, according to the conditions laid down by the Permanent International Armistice Commission following the orders given by the allied generalissimo.

3. The following clause is added to the convention of the 11th November, 1918. [This condition was first announced in a note of the Allies, December 12, 1918, in which infractions of 12 articles of the armistice by Germany were listed. These included failure to deliver war material, aircraft, railroad rolling stock, and naval vessels in the time and quantity provided. In connection with the last category the statement read: "Five submarines in Spain, one in Norway, and one in Netherlands ought to be delivered," and "The refusal of the German Government to deliver the vessels condemned by the prize court is considered as contrary to the terms of the armistice." Other infractions were stated to be ill-treatment of inhabitants of evacuated territory and neglect of liberated prisoners of war; failure to indicate live mines in evacuated regions; failure to open navigation to the Baltic and removal of securities and gold reserves pledged as a financial guaranty to the Allies. Germany replied on the same day, asserting her good faith and that such infractions as had occurred were due to physical impossibilities and the upset condition of the country. The Allies, however, reasserted the new condition, taking account particularly "of the ill-treatment and cruelty inflicted upon allied prisoners, as well as the diminution of financial guaranties given by Germany to the Allies." (Quoted in *Holland News* 2: 2520 et seq. from *Deutsche Allgemeine Zeitung*, December 17, 1918.)]

"From now onwards the generalissimo reserves to himself the right of occupying (when he deems it advisable), as an additional guarantee, the neutral zone on the right bank of the Rhine, north of the bridgehead of Cologne, and as far as the Dutch frontier.

"Six days' notice will be given by the generalissimo before the occupation comes into effect."

Trèves, 13th December, 1918.

(Signed) F. FOCH,
WEMYSS, Admiral.

ERZBERGER,
A. OBERNDORFF,
WINTERFELDT,
VANSELOW.

Convention prolonging the armistice with Germany, 16th January, 1919.
CONVENTION.

The undersigned plenipotentiaries (Admiral Browning taking the place of Admiral Wemyss), vested with the powers in virtue of which the armistice agreement of 11th November, 1918, was signed, have concluded the following supplementary agreement:

1. The armistice of the 11th November, 1918, which was prolonged until the 17th January, 1919, by the agreement of the 13th December, 1918, shall be again prolonged for one month, that is to say, until the 17th February, 1919, at 5 a. m.

This prolongation of one month shall be extended until the conclusion of the peace preliminaries, subject to the approval of the allied Governments.

2. The execution of those clauses of the agreement of the 11th November which have not been entirely carried out shall be proceeded with and completed during the prolongation of the armistice, in accordance with the detailed conditions fixed by the Permanent International Armistice Commission on the instructions of the allied high command.

3. In substitution of the supplementary railway material specified by tables 1 and 2 of the Spa protocol of 17th December, i. e., 500 locomotives and 19,000 wagons, the German Government shall supply the following agricultural machinery and instruments:

- 400 two-engined steam plough outfits, complete, with suitable ploughs,
- 6,500 drills,
- 6,500 manure distributors,
- 6,500 ploughs,
- 6,500 Brabant ploughs,
- 12,500 harrows,
- 6,500 scarifiers,
- 2,500 steel rollers,
- 2,500 Crosskill rollers,
- 2,500 mowing machines,
- 2,500 hay-making machines,
- 3,000 reapers and binders,

or equivalent implements, according to the scale of interchangeability of various kinds of implements considered permissible by the Permanent International Armistice Commission. All this material, which shall be either new, or in very good condition, shall be delivered together with all accessories belonging to each implement, and with the spare parts required for 18 months' use.

The German Armistice Commission shall, between the present date and the 23rd January, supply the Allied Armistice Commission with a list of the material that can be delivered by the 1st March, which must, in principle, constitute not less than one-third of the total quantity. The International Armistice Commission shall, between now and the 23rd January, fix the latest dates of delivery, which shall, in principle, not extend beyond the 1st June.

4. The officers in Germany delegated by the allied and associated powers to organize the evacuation of the prisoners of war belonging to the armies of the Entente, together with representatives of the relief associations of the United States, France, Great Britain, and Italy, shall form a commission charged with the care of Russian prisoners of war in Germany.

This commission, the headquarters of which shall be in Berlin, shall be empowered to deal with the German Government direct, upon instructions from the allied Governments, regarding all questions relating to Russian prisoners of war.

The German Government shall accord the commission all traveling facilities necessary for the purpose of investigating the housing conditions and food supply of such prisoners.

The allied Governments reserve the right to arrange for the repatriation of Russian prisoners of war to any region which they may consider most suitable.

5. *Naval clauses.*—Article XXII of the armistice agreement of the 11th November, 1918, shall be supplemented as follows:

"In order to ensure the execution of such clause the German authorities shall be bound to carry out the following conditions:

"All submarines capable of putting to sea or of being towed shall be handed over immediately, and shall make for allied ports. Such vessels shall include submarine cruisers, mine layers, relief ships, and submarine docks. All submarines which can not be surrendered shall be completely destroyed or dismantled under the supervision of the allied commissioners."

"Submarine construction shall cease immediately, and all submarines in course of construction shall be destroyed or dismantled, under the supervision of the allied commissioners."

Article XXIII of the armistice agreement of the 11th November, 1918, shall be supplemented as follows:

"In order to ensure the execution of such clause the German commission shall furnish the interallied naval armistice commission with a complete list of all surface vessels constructed or in course of construction (launched or on the stocks), specifying probable dates of completion."

Article XXX of the armistice agreement of 11th November, 1918, shall be supplemented as follows:

"In order to ensure the execution of such clause the allied high command informs the German high command that all possible measures must be taken immediately for delivery in allied ports of all allied merchantmen still detained in German ports."

6. *Restitution of material carried off from Belgium and French territories.*—As restitution of material carried off from French and Belgian territory is indispensable for setting factories once more into working order, the following measures shall be carried out, viz.:

(a) All Machinery, machinery parts, industrial or agricultural plant, accessories of all kinds and, generally, all industrial or agricultural articles carried off by German military or civilian authorities or individuals, under any pretext whatever, from territories formerly occupied by the German armies on the western front, shall be placed at the disposal of the Allies for the purpose of being returned to their places of origin, should the French and Belgian Governments so desire.

These articles shall be returned without further alteration and undamaged.

(b) In view of such restitution the German Government shall immediately furnish the armistice commission with all official or private accounts, agreements for sale or hire, or correspondence relating to such articles, together with all necessary declarations or information regarding their existence, origin, adaptation, present condition, and locality.

(c) The delegates of the French or Belgian Governments shall cause inventories or examinations of such articles to be made on the spot in Germany, should they think fit.

(d) The return of such articles shall be effected in accordance with special instructions to be given as required by the French or Belgian authorities.

(e) With a view to immediate restitution, declarations shall more particularly be made of all stocks of driving belts, electric motors and parts thereof, or plant removed from France or Belgium and existing in depot parks, railways, ships, and factories.

(f) The furnishing of the particulars referred to in articles 3 and 6 hereof shall commence within 8 clear days from the 20th January, 1919, and shall be completed in principle before the 1st April, 1919.

7. As a further guarantee, the supreme allied command reserves to itself the right to occupy, whenever it shall consider this desirable, the sector of the fortress of Strassburg formed by the fortifications on the right bank of the Rhine, with a strip of territory extending from 5 to 10 kilometres in front of such fortifications, within the boundaries defined on the map appended hereto.

The supreme allied command shall give 6 days' notice prior to such occupation, which shall not be preceded by any destruction of material or of buildings.

The limits of the neutral zone will, therefore, be advanced by 10 kilometres.

8. In order to secure the provisioning of Germany and of the rest of Europe, the German Government shall take all necessary steps to place the German fleet, for the duration of the armistice, under the control and the flags of the allied powers and the United States, who shall be assisted by a German delegate.

This arrangement shall in no wise affect the final disposal of such vessels. The Allies and the United States shall, if they consider this necessary, replace the crews either entirely or in part, and the officers and crews so replaced shall be repatriated to Germany.

Suitable compensation, to be fixed by the Allied Governments, shall be made for the use of such vessels.

All questions of details, as also any exceptions to be made in the case of certain types of vessel, shall be settled by a special agreement to be concluded immediately.

Trèves, 16th January, 1919.

(Signed) FOCH,
BROWNING.
ERZBERGER,
OBERNDORFF,
VON WINTERFELDT,
VANSELOW.

Convention prolonging the armistice with Germany, 16th February, 1919.
CONVENTION.

The undersigned plenipotentiaries, possessed of the powers in virtue of which the armistice agreement of 11th November, 1918, was signed, have concluded the following additional agreement:

Admiral Wemyss being replaced by Admiral Browning, General v. Winterfeldt by General v. Hammerstein, and the minister plenipotentiary Count v. Oberndorff by the Minister Plenipotentiary v. Haniel.

I. The Germans are to cease all hostilities against the Poles at once, whether in the district of Posen or any other district. With this end in view, they are forbidden to allow their troops to cross the following line—the old frontier between East and West Prussia and Russia as far as Louisenfelde, from thence the line west of Louisenfelde, west of Gr. Neudorf, south of Brzoza, north of Schubin, north of Exin, south of Samotschin, south of Chodziesen, north of Czarnikau, west of Miala, west of Birnbaum, west of Bentschen, west of Wollstein, north of Lissa, north of Rawitsch, south of Krotoschin, west of Adelnau, west of Schildberg, north of Doruchow, to the Silesian frontier.

II. The armistice of 11th November, prolonged by the agreements of 13th December, 1918, and 16th January, 1919, until 17th February, 1919, is further prolonged for a short period, the date of expiry not being given, the allied powers and those associated with them reserving to themselves the right to terminate the period at 3 days' notice.

III. The carrying out of those clauses of the agreement of 11th November, 1918, and of the additional agreements of 13th December, 1918, and 16th January, 1919, the terms of which have not yet been fully

carried into effect, will be continued and completed during the prolongation of the armistice, according to detailed arrangements made by the permanent armistice commission, acting on instructions issued by the supreme allied command.

(Sd.)

FOCH.
BROWNING.Trèves, 16th February, 1919.
ERZBERGER.
FREIHERR V. HAMMERSTEIN.
VON HANIEL.
VANSELOW.

Terms of armistice with Austria-Hungary, 3rd November, 1918.

A. MILITARY CLAUSES.

1. Immediate cessation of hostilities by land and sea and air.
2. Total demobilization of Austro-Hungarian Army and immediate withdrawal of Austro-Hungarian forces operating on front from North Sea to Switzerland.

Within Austro-Hungarian territory limited as in clause 3 below there shall only be maintained as an organized military force a maximum of 20 divisions reduced to prewar effectives.

Half the divisional corps and army artillery and equipment shall be collected at points to be indicated by Allies and United States of America for delivery to them, beginning with all such material as exists in territories to be evacuated by Austro-Hungarian forces.

3. Evacuation of all territories invaded by Austria-Hungary since the beginning of the war. Withdrawal within such periods as shall be determined by commander in chief of allied forces on each front, of Austro-Hungarian armies behind a line fixed as follows: From Piz Umbrail to north of Stelvio it will follow crest of Rhetian Alps to sources of the Adige and Eisach, passing thence by the Reschen and Brenner and the heights of Oetz and Ziller.

The line thence turns south, crossing Mount Toblach as far as present frontier of Carnic Alps. It follows this line as far as Mount Tarvis, thence to watershed of Julian Alps by Col de Predil, Mount Mangart, the Tricorno (Terlgou) and watershed Podberdo, Podlaniscan, and Idria. From this point the line turns southeast toward the Schneeberg, excluding the whole basin of the Save River and its tributaries; from Schneeberg it descends the coast in such a way as to include Castua, Matungla, and Volosca in evacuated territories.

It will follow the administrative limits of present Province of Dalmatia, including to the north Lisarica and Tribania and to the south territory limited by a line from the shore of Cape Planka to the summits of watershed eastwards so as to include in evacuated area all the valleys and watercourses flowing toward Sebenico, such as Cicola, Karka, Butisnica, and their tributaries. It will also include all the islands in the north and west of Dalmatia from Premuda, Selve, Ulbo, Scherda, Maon, Pago, and Pantudara Islands, in the north, up to Meleda, in the south, embracing Sant' Andrea, Busi, Lissa, Lesina, Tercola, Curzola, Cazza, and Lagosta, as well as neighbouring rocks and islets and Pelagosa, only excepting the islands of great and small Zirona, Buna, Solta, and Brazza.

All territories thus evacuated will be occupied by allied and American troops.

All military and railway equipment of all kinds (including coal) within these territories to be left *in situ*, and surrendered to the Allies and America according to special orders given by commander-in-chief of forces of associated powers on different fronts.

No new destruction, pillage, or requisition by enemy troops in territories to be evacuated by them and occupied by associated powers.

4. Allied armies shall have the right of free movement over all road and rail and waterways in Austro-Hungarian territory which shall be necessary.

Armies of associated powers shall occupy such strategic points in Austria-Hungary at such times as they may deem necessary to enable them to conduct military operations or to maintain order.

They shall have right of requisition on payment for troops of associated powers wherever they may be.

5. Complete evacuation of all German troops within 15 days not only from Italian and Balkan fronts, but from all Austro-Hungarian territory.

Internment of all German troops which have not left Austria-Hungary before that date.

6. Administration of evacuated territories of Austria-Hungary will provisionally be entrusted to local authorities under control of the allied and associated armies of occupation.

7. Immediate repatriation, without reciprocity, of all prisoners of war and interned allied subjects and of civilian populations evacuated from their homes on conditions to be laid down by commanders-in-chief of forces of allied powers on various fronts.

8. Sick and wounded who cannot be removed from evacuated territory will be cared for by Austro-Hungarian personnel, who will be left on the spot with medical material required.

B. NAVAL CONDITIONS.

1. Immediate cessation of all hostilities at sea and definite information to be given as to location and movements of all Austro-Hungarian ships.

Notification to be made to neutrals that free navigation in all territorial waters is given to the naval and mercantile marines of the allied and associated powers, all questions of neutrality being waived.

2. Surrender to the Allies and United States of America of 15 Austro-Hungarian submarines completed between years 1910 and 1918 and of all German submarines which are in or may hereafter enter Austro-Hungarian territorial waters. All other Austro-Hungarian submarines to be paid off and completely disarmed and to remain under supervision of the Allies.

3. Surrender to the Allies and United States of America, with their complete armament and equipment, of 3 battleships, 3 light cruisers, 9 destroyers, 12 torpedo boats, 1 mine layer, 6 Danube monitors, to be designated by the Allies and United States of America.

All other surface warships (including river craft) are to be concentrated in Austro-Hungarian naval bases to be designated by the Allies and United States of America, and are to be paid off, completely disarmed, and placed under supervision of Allies and United States of America.

4. Free navigation to all warships and merchant ships of allied and associated powers to be given in Adriatic, in territorial waters, and up River Danube and its tributaries, and Austro-Hungarian territory.

Allies and associated powers shall have right to sweep up all mine fields and obstructions, and positions of these are to be indicated.

In order to ensure free navigation on the Danube, Allies and United States of America shall be empowered to occupy or to dismantle all fortifications or defence works.

5. Existing blockade conditions set up by allied and associated powers are to remain unchanged, and all Austro-Hungarian merchant

ships found at sea are to remain liable to capture, with the exceptions which may be made by a commission nominated by Allies and United States.

6. All naval aircraft are to be concentrated and immobilized in Austro-Hungarian bases to be designated by Allies and United States of America.

7. Evacuation of all the Italian coast, and of all ports occupied by Austria-Hungary outside their national territory, and abandonment of all floating craft, naval materials, equipment, and materials for inland navigation of all kinds.

8. Occupation by Allies and United States of America of land and sea fortifications and islands which form defences, and of dockyards and arsenals at Pola.

9. All merchant vessels held by Austria-Hungary belonging to Allies and associated powers to be returned.

10. No destruction of ships or of materials to be permitted before evacuation, surrender, or restoration.

11. All naval and mercantile prisoners of war of allied and associated powers in Austro-Hungarian hands to be returned without reciprocity.

The undersigned plenipotentiaries, duly authorized, signify their approval of above conditions:

3rd November, 1918.

Representatives of Austro-Hungarian supreme command.

VICTOR WEBER, EDLER VON WEBERNAU.
KARL SCHNELLER.
Y. VON LIECHTENSTEIN.
J. V. NYEKHEGYI.
ZWIERKOWSKI.
VICTOR, FREIHERR VON SEILLER.
KAMILLO RUGGERA.

Representatives of Italian supreme command.

Gen. PIETRO BADOGLIO.
Magr. Gen. SCIPIONE SCIPIONI.
Colonel TULLIO MARCHETTI.
Colonel PIETRO GAZZERA.
Colonel PIETRO MARAVIGNA.
Colonel ALBERTO PARIANI.
Cap. Vase. FRANCESCO ACCINNI.

Supplement to protocol.

Contains details and executive clauses of certain points of the armistice between the allied and associated powers and Austria-Hungary.

I. MILITARY CLAUSES.

1. Hostilities on land, sea, and air will cease on all Austro-Hungarian fronts 24 hours after the signing of the armistice, i. e., at 3 o'clock on 4th November (central European time).

From that hour the Italian and allied troops will not advance beyond the line then reached.

The Austro-Hungarian troops and those of her allies must retire to a distance of at least 3 kilometres (as the crow flies) from the line reached by the Italian troops or by troops of allied countries. Inhabitants of the 3-kilometre zone included between the two lines (above mentioned) will be able to obtain necessary supplies from their own army or those of the Allies.

All Austro-Hungarian troops who may be at the rear of the fighting lines reached by the Italian troops, on the cessation of hostilities, must be regarded as prisoners of war.

2. Regarding the clauses included in articles 2 and 3 concerning artillery equipment, and war material to be either collected in places indicated or left in territories which are to be evacuated, the Italian plenipotentiaries representing all the allied and associated powers give to the said clauses the following interpretation, which will be carried into execution:

(a) Any material or part thereof which may be used for the purpose of war, must be given up to the allied and associated powers. The Austro-Hungarian Army and the German troops are only authorized to take personal arms and equipment belonging to troops evacuating the territories mentioned in article 3, besides officers' chargers, the transport train, and horses specially allotted to each unit for transport of food supplies, kitchens, officers' luggage, and medical material. This clause applies to the whole army and to all the services.

(b) Concerning artillery—it has been arranged that the Austro-Hungarian Army and German troops shall abandon all artillery material and equipment in the territory to be evacuated.

The calculations necessary for obtaining a complete and exact total of the artillery divisions and army corps at the disposal of Austro-Hungary on the cessation of hostilities (half of which must be given up to the associated powers) will be made later, in order to arrange, if necessary, for the delivery of other Austro-Hungarian artillery material and for the possible eventual return of material to the Austro-Hungarian Army by the allied and associated armies.

All artillery which does not actually form part of the divisional artillery and army corps must be given up, without exception. It will not, however, be necessary to calculate the amount.

(c) On the Italian front the delivery of divisional and army corps artillery will be effected at the following places: Trento, Bolzano, Pieve di Cadore, Stazione per la Carnia, Tolmino, Gorizia, and Trieste.

3. Special commissions will be selected by the commanders in chief of allied and associated armies on the various Austro-Hungarian fronts, which will immediately proceed, accompanied by the necessary escorts, to the places they regard as the most suitable from which to control the execution of the provisions established above.

4. It has been determined that the designations M. Toblach and M. Tarvis indicate the groups of mountains dominating the ridge of Mts. Toblach and the Valley of Tarvis.

5. The retirement of Austro-Hungarian troops and those of her allies beyond the lines indicated in article 3 of the Protocol of Armistice Conditions, will take place within 15 days of the cessation of hostilities, as far as the Italian front is concerned.

On the Italian front, Austro-Hungarian troops and those of her allies must have retired beyond the line: Tonale—Noce—Lavis—Avisio—Pordoi—Livinallongo—Falzarego—Pieve di Cadore—Colle Mauria—Alto Tagliamento—Fella—Raccolana—Selle Nevea—Isonzo by the fifth day; they must also have evacuated the Dalmatian territory indicated above.

Austro-Hungarian troops on land and sea, or those of her allies not having evacuated the territories indicated within the period of 15 days will be regarded as prisoners of war.

6. The payment of any requisitions made by the armies of the allied and associated powers in Austro-Hungarian territory will be carried out according to paragraph 1 of page 227 of "Servizio in Guerra—Part II. Edizione 1915," actually in force in the Italian Army.

7. As regards railways and the exercise of the rights confirmed upon the associated powers by article 4 of the armistice agreement between the allied powers and Austria-Hungary, it has been determined that the transport of troops, war material, and supplies for allied and associated powers on the Austro-Hungarian railway system,

outside territory evacuated in accordance with the terms of the armistice, and the direction and working of the railways shall be effected by the employees of the Austro-Hungarian railway administration, under the supervision of special commissioners selected by the Allied Powers, and the military Italian headquarters, which it will be considered necessary to establish, the Austro-Hungarian authorities will give priority to allied military trains and will guarantee their safety.

8. On territory to be evacuated at the cessation of hostilities, all mines on roads or railway tracks, all minefields and other devices for interrupting communications by road or rail must be rendered inactive and harmless.

9. Within a period of 8 days from the cessation of hostilities, prisoners and Italian subjects interned in Austria-Hungary must cease all work except in the case of prisoners and interned who have been employed in agricultural pursuits previous to the day on which the armistice was signed. In any case they must be ready to leave at once on request of the Commander in Chief of the Italian Army.

10. Austria-Hungary must provide for the protection, safety, and supplies (expenses of these to be repaid) of the various commissions selected by the allied Governments to take over war material and to exercise general control, whether in the territory to be evacuated or in any other part of Austria-Hungary.

II. NAVAL CLAUSES.

1. The hour for the cessation of hostilities by sea will be the same as that of the cessation of hostilities by land and air.

Before that time the Austro-Hungarian Government must have furnished the Italian Government and those of the associated powers with the necessary information concerning the position and movements of the Austro-Hungarian ships, through the wireless station at Pola, which will transmit the information to Venice.

2. The units referred to in Articles II and III, to be surrendered to the associated powers must return to Venice between 8 a. m. and 3 p. m. on the 6th November; they will take a pilot on board 14 miles from the coast. An exception is made as regards the Danube monitors, which will be required to proceed to a port indicated by the Commander in Chief of the forces of the associated powers on the Balkan front, under such conditions as he may determine.

3. The following ships will proceed to Venice:

"Teghethoff,"
"Prinz Eugen,"
"Ferdinand Max,"
"Salda,"
"Novara,"
"Helgoland."

Nine destroyers of "Tatra" type (at least 800 tons) of most recent construction.

Twelve torpedo-boats (200-ton type).

Minelayer "Chamaleon."

Fifteen submarines built between 1910 and 1918, and all German submarines which are, or may eventually be, in Austro-Hungarian waters. Premeditated damage, or damage occurring on board the ships to be surrendered will be regarded by the allied governments as a grave infringement of the present armistice terms.

The *Lago di Garda* flotilla will be surrendered to the associated powers in the Port of Riva.

All ships not to be surrendered to the associated powers will be concentrated in the ports of Buccari and Spalato within 48 hours of the cessation of hostilities.

4. As regards the right of sweeping minefields and destroying barges, the Austro-Hungarian Government guarantees to deliver the maps of minefields and barges at Pola, Cattaro, and Fiume to the Commander of the Port of Venice, and to the Admiral of the Fleet at Brindisi within 48 hours of the cessation of hostilities, and within 96 hours of the cessation of hostilities, maps of minefields and barges in the Mediterranean and Italian lakes and rivers, with additional notification of such minefields or barges laid by order of the German Government as are within their knowledge.

Within the same period of 96 hours a similar communication concerning the Danube and the Black Sea will be delivered to the commander of the associated forces on the Balkan front.

5. The restitution of merchant ships belonging to the associated powers will take place within 96 hours of the cessation of hostilities in accordance with the indications determined by each associated power, which will be transmitted to the Austro-Hungarian Government. The associated powers reserve to themselves the constitution of the commission referred to in article 5, and of informing the Austro-Hungarian Government of its functions and of the place in which it will meet.

6. The naval base referred to in Article VI is Spalato.

7. The evacuation referred to in Article VII will be effected within the period fixed for the retirement of the troops beyond the armistice lines. There must be no damage to fixed, mobile, or floating material in the ports.

Evacuation may be effected *via* the Lagoon canals by means of Austro-Hungarian boats which may be brought in from outside.

8. The occupation referred to in Article VIII will take place within 48 hours of the cessation of hostilities.

The Austro-Hungarian authorities must guarantee the safety of vessels transporting troops for the occupation of Pola and of islands and other places as provided for in the terms of the armistice for the land army.

The Austro-Hungarian Government will give directions that the ships belonging to associated powers proceeding to Pola should be met 14 miles out by pilots capable of showing them the safest way into port. All damage to the persons or property of the associated powers will be regarded as a grave infringement of the present armistice terms.

The undersigned duly authorized plenipotentiaries have signified their approval of the above conditions.

3rd November, 1918.

Representatives of the supreme command of the Austro-Hungarian Army.

VICTOR WEBER, EDLER VON WEBENAU.
KARL SCHNEIDER.
Y. VON LICHTENSTEIN.
J. V. NYÉKHÉGYI.
ZWIERKOWSKI.
VICTOR FREIERER VON SEILLER.
KAMILLO RUGGERA.

Representatives of the supreme command of the Italian Army.

Ten. Gen. PIETRO BADOGLIO.
Magg. Gen. SCIPIONE SCIPIONI.
Colonel. TULLIO MARCHETTI.
Colonel. PIETRO GAZZERA.
Colonel. PIETRO MARAVIGNA.
Colonel. ALBERTO PAVIANI.
Cap. Vasc. FRANCESCO ACCINNI.

Text of military convention between the Allies and Hungary, signed at Belgrade, 13th November, 1918.

MILITARY CONVENTION REGULATING THE CONDITIONS UNDER WHICH THE ARMISTICE SIGNED BETWEEN THE ALLIES AND AUSTRIA-HUNGARY IS TO BE APPLIED IN HUNGARY.

1. The Hungarian Government will withdraw all troops north of a line drawn through the upper valley of the Szamos, Bistritz, Maros-Vasarhely, the river Maros to its junction with the Theiss, Maria-Theresiopel, Baja, Eufkirchen (these places not being occupied by Hungarian troops), course of the Drave, until it coincides with the frontier of Slavonia-Croatia.

The evacuation to be carried out in 8 days, the Allies to be entitled to occupy the evacuated territory on the conditions laid down by the general commander in chief of the allied armies. Civil administration will remain in the hands of the Government.

In actual fact only the police and gendarmerie will be retained in the evacuated zone, being indispensable to the maintenance of order, and also such men as are required to ensure the safety of the railways.

2. Demobilization of Hungarian naval and military forces. An exception will be made in the case of six infantry divisions and two cavalry divisions, required for the maintenance of internal order, and in the case of small sections of police mentioned in paragraph 1.

3. The Allies to have the right of occupying all places and strategic points, which may be permanently fixed by the general commander in chief of the allied armies.

The allied troops to be allowed to pass through or to remain in any part of Hungary.

The Allies to have permanent right of use, for military purposes, of all rolling stock and shipping belonging to the State or to private individuals resident in Hungary, also of all draught animals.

4. The rolling stock and railway staff usually employed in the occupied territory will remain (see paragraph 1), and a reserve of 2,000 wagons and 100 locomotives (normal gauge) and 600 wagons and 50 locomotives (narrow gauge) will also be handed over within the month to the general commander in chief. These will be for the use of the allied troops and to compensate for the deficiency of material from Serbia due to the war. Some portion of this material could be levied from Austria. The figures are approximate.

5. The ships and crews usually employed in the service of the occupied territory will remain, in addition to monitors, will be surrendered to the Allies immediately at Belgrade. The rest of the Danube flotilla will be assembled in one of the Danube ports, to be appointed later by the general commander in chief, and will be disarmed there. A levy of 10 passenger vessels, 10 tugs, and 60 lighters will be made on this flotilla as soon as possible for the use of the allied troops, to compensate for the deficiency of material from Serbia due to the war. The figures are approximate.

6. Within 15 days a detachment of 3,000 men from the railway technical troops are to be placed at the disposal of the general commander in chief, supplied with the material necessary to repair the Serbian railways. These figures are approximate.

7. Within 15 days a detachment of sappers of the telegraph branch are to be placed at the disposal of the general commander in chief, provided with material necessary for establishing telegraphic and telephone communications with Serbia.

8. Within one month 25,000 horses are to be placed at the disposal of the general commander in chief, together with such transport material as he may deem necessary. These figures are approximate.

9. Arms and war material to be deposited at places appointed by the general commander in chief. A portion of this material will be levied for the purpose of supplying units to be placed under the orders of the general commander in chief.

10. Immediate liberation of all allied prisoners of war and interned civilians, who will be collected at places convenient for their despatch by rail; they will there receive directions as to time and place of repatriation, according to the orders issued by the general commander in chief. Hungarian prisoners of war to be provisionally retained.

11. A delay of 15 days is granted for the passage of German troops through Hungary and their quartering meanwhile, dating from the signing of the armistice by General Diaz (4th November, 3 p. m.). Postal and telegraphic communication with Germany will only be permitted under the military control of the Allies. The Hungarian Government undertakes to allow no military telegraphic communication with Germany.

12. Hungary will facilitate the supplying of the allied troops of occupation; requisitions will be allowed on condition that they are not arbitrary, and that they are paid for at current rates.

13. The situation of all Austro-Hungarian mines in the Danube and the Black Sea must be communicated immediately to the general commander in chief. Further, the Hungarian Government undertakes to stop the passage of all floating mines sown in the Danube upstream from the Hungarian and Austrian frontier and to remove all those actually in Hungarian waters.

14. The Hungarian postal service, telegraphs, telephones, and railways will be placed under allied control.

15. An allied representative will be attached to the Hungarian Ministry of Supplies in order to safeguard allied interests.

16. Hungary is under an obligation to cease all relations with Germany and stringently to forbid the passage of German troops to Roumania.

17. The Allies shall not interfere with the internal administration of affairs in Hungary.

18. Hostilities between Hungary and the Allies are at an end.

Two copies made 13th November, 1918, at 11.15 p. m. at Belgrade. Signed for the Allies by the delegates of the general commander in chief.

VOIVODE MISHITCH.
GENERAL HENRYS.

Signed for Hungary by the delegates of the Hungarian Government.
BÉLA LINDER.

Bulgaria—Armistice—Convention, September 29, 1918.

MILITARY CONVENTION REGULATING THE CONDITIONS OF SUSPENSION OF HOSTILITIES BETWEEN THE ALLIED POWERS AND BULGARIA.

(1) Immediate evacuation of the territories still occupied by Bulgarians in Greece and Serbia; no cattle, cereals, or provisions to be exported from such territories, which must be left undamaged, the Bulgarian civil administration will continue to function in the parts of Bulgaria actually occupied by the Allies.

(2) Immediate demobilization of the entire Bulgarian Army, with the exception of a fighting force comprising 3 divisions of 16 battalions

each, 4 regiments of cavalry, which will be employed, 2 divisions for the defense of the east frontier of Bulgaria and of the Dobrudja, and 1 division for guarding the railways.

(3) Surrender at points designated by the high command of the armies of the east of arms, munitions, and military vehicles belonging to the elements demobilized, which will be stored by the Bulgarian authorities and under the control of the Allies. The horses also will be handed over to the Allies.

(4) Restitution to Greece of the material of the Fourth Greek Army Corps taken from the Greek Army at the occupation of eastern Macedonia, in so far that it has not been sent to Germany.

(5) The elements of the Bulgarian troops now at the west of the meridian of Uskub will lay down their arms and will be considered, until further order, as prisoners of war; the officers will be allowed to keep their swords.

(6) The Bulgarian prisoners of war in the east will be employed by the allied armies until the peace without reciprocity as concerning the prisoners of war of the Allies. These last will be immediately surrendered to the allied authorities and deported civilians will be wholly free to reenter their own country.

(7) Germany and Austria will be allowed a delay of four weeks to withdraw their troops and military organizations from Bulgaria. The diplomatic and consular representatives of the Central Powers, as well as their citizens, must withdraw in this same period. The orders for the cessation of hostilities will be given at the time of the signature of the present convention.

(Signed) Gen. FRANCHET D'ESPÈREY.
(Signed) ANDRÉ LIAPTCHÉW.
(Signed) Gen. LOUKOFF.

MILITARY COVENANT REGULATING THE CONDITIONS OF THE SUSPENSION OF HOSTILITIES BETWEEN THE ALLIED POWERS AND BULGARIA.

Secret articles.

(1) The eventual passage of the allied military forces over Bulgarian territory, as well as the utilization of railways, roads, waterways, and harbors, will be the object of a special covenant between the Bulgarian Government and the high command of the army of the east. Some negotiations to this effect will begin in about eight days at the most. They will concern, also, the control of telephone, telegraph, and the stations of T. S. F.

(2) A certain number of strategical points in the interior of the Bulgarian territory will be occupied by the great allied powers. This occupation will be provisional, and will serve purely as a guaranty. It will not give way to coercion or arbitrary requisition. The general in chief of the armies gives assurance that unless unusual circumstances arise, Sofia will not be occupied.

(3) The general in chief reserves for himself, in case of necessity, the right to demand absolute cessation of every relation between Bulgaria and her former allies.

(4) The opening of Bulgarian ports to the vessels of allied and neutral powers.

(Signed) Gen. FRANCHET D'ESPÈREY.
(Signed) ANDRÉ LIAPTCHÉW.
(Signed) Gen. LOUKOFF.

FAVORABLE FACTORY CONDITIONS.

Mr. DIAL. Mr. President, in these unsettled times it is very encouraging to read the remarks of one who compliments the people of the United States who furnished funds to give employment to our people. During the war we learned to respect and love the King and Queen of the Belgians. I have here an extract from a paper, giving the impressions of Queen Elizabeth of the Belgians on the conditions in our factories. I desire to have the extract inserted in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"You ask if I have gained any impressions from the factories I have visited," Her Majesty continued, with one of her charming smiles. "I have been very much impressed with the clear-eyed, red-cheeked girls I have seen in your workrooms. I think their evident happiness is due to the pure air, the cleanliness, and the generally splendid surroundings. It is my hope that employers of working people in Belgium and all over Europe will model their factories after those in the United States."

LONGSHOREMEN'S STRIKE.

Mr. SHERMAN. I present a letter from the New York Towboat Exchange, through its manager, Mr. Mason, together with a copy of a letter addressed by the exchange to Secretary of Labor Wilson, setting forth the unfitness of Mr. James L. Hughes to act on the conciliation commission in the longshoremen's strike. They set forth a great variety of reasons showing general unfitness, among which is habitual and overwhelming intoxication, disabling him from the discharge of his duties. I ask to have the letter of Mr. Mason, on behalf of the towboat exchange, and also the letter addressed to Secretary of Labor Wilson, printed at length in the RECORD without reading.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NEW YORK CITY, October 27, 1919.

HON. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.

SIR: We inclose herewith copy of letter sent to the Hon. William B. Wilson, Secretary of Labor, Washington, D. C., regarding Mr. James L. Hughes.

Up to the present time we have not received a reply to the inclosed letter, and so far as we know Mr. Hughes is still in

New York as mediator on the differences between the striking longshoremen and their employers.

The object of this letter is merely to bring the matter to your attention.

Yours, very truly,

NEW YORK TOW BOAT EXCHANGE (INC.),
CHARLES A. MASON, Manager.

OCTOBER 20, 1919.

HON. WILLIAM B. WILSON,

Secretary of Labor, Washington, D. C.

DEAR SIR: The announcement of the appointment of Mr. James L. Hughes as mediator of the differences between the striking longshoremen of this port and their employers has been read by us with interest, not to say astonishment. As you are apparently unfamiliar with Mr. Hughes's activities here while acting as your representative last spring, we feel it our duty to you and to the maritime interests of New York to acquaint you with the facts.

You will probably recall that in March, 1919, Mr. Hughes was designated by your department to act as mediator in the strike of the operatives of railroad and privately owned harbor equipment in this port. For the following six weeks Mr. Hughes spent the greater part of his time in this city in his so-called mediation efforts, and we had the fullest opportunity to observe him and his activities at close range. We will summarize very briefly the results of our observations:

1. On April 5 Mr. Hughes arranged a meeting, to be held that evening, between representatives of our associations and representatives of the strikers. This meeting was attended by nine of our members and by about an equal number of spokesmen for the strikers. Mr. Hughes arrived in a grossly intoxicated condition, and became progressively more inebriated as the evening advanced. He was totally incapable of appreciating what was being said or done in his presence, and devoted his energies to incoherent and disgraceful denunciations of the employers. He finally fell asleep, and had to be awakened at the termination of the conference. It was a decidedly painful affair.

2. On March 14, 1919, at a conference between four of our representatives and Mr. Hughes, the latter, for the purpose of coercing a settlement with the strikers, accused our representatives and their counsel of the commission of criminal acts, and threatened to bring these alleged offenses to the attention of the Federal district attorney if a settlement was not reached. The accusations were basely slanderous and without foundation, and Mr. Hughes was sharply warned that any repetition of them would lead to the immediate termination of the interview. It is, perhaps, needless to add that the Federal district attorney never acted in the matter, and so far as we are advised was never requested by Mr. Hughes to take any action. In this connection we take the liberty of calling your attention to the fact that under the law of New York an unfounded threat of criminal prosecution or an offer to withhold such prosecution constitutes a felony.

3. Between March 31, 1919, and April 4, 1919, our association effected settlements with the Tidewater Boatmen's Union and the Lighter Captains' Union, as a result of which the members of those organizations returned to work. The negotiations leading to these settlements were initiated and encouraged by Mr. T. V. O'Connor, president of the International Longshoremen's Association. On several occasions subsequent to April 4, 1919, Mr. Hughes reviled T. V. O'Connor with obscene and profane language for aiding in the settlement of these controversies and accused said O'Connor of corruption and of ulterior and dishonest motives in the matter.

4. The strike of the towboat operatives lasted from March 4, 1919, to April 19, 1919. During the closing weeks of the strike a strong sentiment developed among the men in favor of returning to work upon the very liberal terms of settlement offered by the employers. During this period Mr. Hughes attended several meetings of the strikers and personally urged them to hold out a little longer, promising them more favorable terms. His action in this regard undoubtedly prolonged the strike and greatly increased the cost to all concerned. The men finally returned to work on terms less favorable than those rejected upon the advice of Mr. Hughes.

5. On April 16, 1919, Mr. Hughes requested representatives of our associations to meet the Secretary of Labor on the following day at No. 45 Broadway, this city, for a full discussion of all matters in controversy. On arriving at that meeting our representatives were surprised to find that the assurances of Mr. Hughes that the Secretary of Labor would be in attendance were false, and that, in fact, this meeting was being conducted by

the Hon. John F. Hylan, mayor of this city. During the course of the proceedings before him the mayor frequently stated that he had been solicited to act in the matter by Mr. Hughes.

6. The strike of the harbor operatives, which began March 4, 1919, followed a wage award of Mr. V. Everit Macy, acting as an umpire of the National War Labor Board. The employees regarded this award as unfavorable to them and cast it aside with derision. Mr. Hughes aided and encouraged them in this course and was largely instrumental in establishing the principle that an arbitration award, if deemed unfavorable, may be treated as a scrap of paper. The identical proposition is involved in the present longshoremen's strike, and the stand of the strikers is amply justified by the attitude of your representative, who is now called upon to mediate.

7. The attitude of Mr. Hughes throughout the strike from March 4 to April 19 was that of grossest partisanship toward the Marine Workers' Affiliation. When the cause of the strikers was proceeding favorably, Mr. Hughes was always strangely absent. When discontent developed in the strikers' ranks, or when disaster threatened their cause, Mr. Hughes was present and assiduous in his efforts. His close relations with the leaders of the strike and his obvious bias toward them were little short of a public scandal.

We are prepared at any time or place to substantiate the charges made above. Permit us to express the hope that the present appointment of Mr. Hughes marks the end of his activities in maritime matters affecting the port of New York.

Very truly, yours,

(Signed) JOSEPH H. MORAN,
For New York Tow Boat Exchange.

(Signed) H. M. LEE,

For Lighterage Association of the Port of New York.

(Signed) JOSEPH H. SINGLETON,
For New York Boat Owners' Association.

THREATENED STRIKE OF COAL MINERS.

The PRESIDING OFFICER. Resolutions coming over from a previous day are now in order.

Mr. THOMAS. I have a resolution, being Senate joint resolution No. 120, coming over from a previous day, which I am anxious to finally dispose of during the morning hour, but I am not desirous of interfering with the bill which the Senator from Iowa [Mr. CUMMINS] says is of such great and pressing importance and which he desires disposed of this morning. So, if I may be permitted, I will defer calling up my resolution until the Senator from Iowa shall have been heard.

The PRESIDING OFFICER. That order will be made.

FEDERAL TRADE COMMISSION.

Mr. MYERS. Mr. President, a few days ago the Senate adopted a resolution offered by the Senator from Washington [Mr. JONES] calling upon the Federal Trade Commission for particulars as to the authorship and circulation of a public statement previously issued by the commission, which attacked a Member of this body, the Senator from Indiana [Mr. WATSON]. The reply of the Federal Trade Commission, I learn, was made to this body yesterday and laid before the Senate at that time. I was not present when it was received and have just read it this morning. The reply of the Federal Trade Commission assumes full responsibility for the public attack which it recently made upon the Senator from Indiana [Mr. WATSON] and its public circulation. I take occasion now, at the first opportunity, to say that I think it is outrageous for a branch of the executive department of the Government to make a scurrilous attack on the record and standing of a respected and honored Member of this body simply because he introduced a resolution, which the Senate adopted, asking for an investigation as to some of the employees of that branch of the Government. I think it entirely out of place and a violation of all propriety.

I do not know whether or not there are any socialists or Bolsheviks who are employees of the Federal Trade Commission. I do know, however, that there have been socialists and Bolsheviks who have been employees of this Government. There may or may not be such in the employ of the Federal Trade Commission, but the Senator from Indiana had a right to introduce his resolution for an investigation of that subject, and, as I have stated, the Senate put its seal of approval upon that right by unanimously adopting his resolution. In speaking now of the action of the Federal Trade Commission, which I condemn, I do not refer to its reply to the resolution of inquiry of the Senator from Washington [Mr. JONES], which was proper, but to its published statement which called for the introduction and adoption of the resolution of the Senator from Washington and which attacked the Senator from Indiana [Mr. WATSON] apparently because he introduced a resolution to investigate some employees of the commission. That I brand as improper.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Iowa?

Mr. CUMMINS. I rise to a point of order, though I am very sorry to do so. The bill to which I referred a few moments ago is so important that I must ask for the regular order, in order that I may have an opportunity to present it.

Mr. MYERS. Mr. President, if the Senator from Iowa will bear with me a very few minutes longer, I will conclude. I have said nearly all I intended saying.

Mr. CUMMINS. I am sure of that, but I fear that what the Senator from Montana has said may give rise to a good deal of discussion.

Mr. MYERS. The Senator from Iowa, then, is fearing others and not me. That being the case, I bow to his point of order. I have to admit, of course, his right to raise it at this time.

REIMBURSEMENT FOR RAILROAD EQUIPMENT.

Mr. CUMMINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order of Business 237, being Senate bill 3319; but before the request is granted I think it is due to the Senate that I shall explain, briefly, the nature and object of the bill.

Mr. President, the Government has expended in betterments and additions and for equipment in the railway service something like a billion dollars since it has been in operation of these properties. It will be imperatively necessary that the Government shall carry for a very considerable time, probably for 10 years, a large portion of these advances, for the railway companies will be utterly unable to repay these expenditures which have been made upon and for their properties and which are properly chargeable to capital account. Among the expenditures I have mentioned there are in the aggregate about \$375,000,000 for equipment; that is to say, for engines, cars, and the like.

The President, the railway companies, and certain bankers have negotiated an arrangement through which about \$225,000,000 of the expenditures for equipment can be funded for a period of 15 years. It is to be accomplished through the organization of a corporation which is to acquire the title of the equipment which is now in the Government and transfer that equipment to the several railway companies, which are to execute securities upon which the corporation will issue what is known as car-trust-equipment certificates. The bankers have agreed to take of these certificates an amount substantially equal to \$225,000,000. That will return to the Government at this time that amount of money.

The Government will be compelled to carry in some form the remainder, or, together with the reserve fund that is to be established, substantially \$150,000,000.

When the arrangement had been made and everything had been agreed upon between the parties, including the Government, the counsel for the bankers who were to underwrite these securities reached the conclusion that there was no authority in the act of March 21, 1918, for the arrangement which was proposed. The Railroad Administration was of the contrary opinion, that the President already had the authority required to enable him to carry out the plan which had been proposed and which was agreeable and satisfactory to all who were concerned. In that difference of opinion the negotiations were suspended, and no matter how well founded the view of the President and his advisers may be, if the bankers who are to advance the money or to underwrite the arrangement feel that the authority does not exist, the negotiation must come to an end and the plan must be abandoned.

The bill which has been introduced and which has received the unanimous recommendation of the Committee on Interstate Commerce is designed simply to supply the authority which it is feared the present law does not contain, and that will enable the President to go forward with this funding operation.

I feel that I could not more completely explain the measure if I were to consume further time.

Mr. NELSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I yield to the Senator from Minnesota.

Mr. NELSON. May I ask the Senator a question for information?

Mr. CUMMINS. Certainly.

Mr. NELSON. Are the credits which are to be advanced by the bankers credited to the individual railroad companies separately or is it a pooling arrangement?

Mr. CUMMINS. It is not a pooling arrangement. The equipment to which I have referred which has given rise to a great

deal of controversy and dispute among the railroads and as between the railroads and the Government has now been allocated or distributed to the various railroad companies.

Mr. NELSON. So that each road will have to pay its share?

Mr. CUMMINS. Each road will have to pay its own share.

Mr. NELSON. There is a further question I should like to propound. In reference to the advances to be made by the bankers or by the corporation referred to by the Senator, does the Government assume any liability in connection therewith? In other words, will it directly or indirectly guarantee those obligations?

Mr. CUMMINS. The Government does not directly or indirectly guarantee the trust certificates. The Government, it will be understood, is now the creditor of the railroad companies. It has no way of securing payment except from the railroad companies, and the railroad companies are entirely incapable at this time of repaying this vast sum of money. It is only about two-fifths of the entire sum which the railroad companies owe the Government upon capital account. The Government will not occupy any less advantageous position than it now occupies.

The bankers take these certificates, and the Government will get about \$225,000,000 out of the operation. It will be remembered that the Government must then accept a subordinate position financially to these certificates, so far as the remaining \$150,000,000 are concerned; but it has that position now, and it gets into the Treasury of the United States about \$225,000,000 that otherwise it would be unable to secure.

Mr. POMERENE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I yield.

Mr. POMERENE. Just for a question. The Senator has rightly stated, as I understand the facts, that the \$225,000,000 will be covered back into the Treasury of the United States. That leaves approximately \$150,000,000 which is undisposed of. Now, as I understand the situation, the director general's office purchased these locomotives and cars for the purpose of distributing them among the various roads in proportion to their several needs.

Mr. CUMMINS. He did.

Mr. POMERENE. Some little time ago a part of these cars had not been distributed or allotted to the roads. What portion of these still remain in the director general's control and have not as yet been allotted?

Mr. CUMMINS. Mr. President, I shall have to answer that in this way: The dispute between the railroad companies and the Government has been settled and the distribution has been agreed upon; that is, the number of cars that each company is to take and the number of locomotives that each company is to take has been agreed upon. Just what the physical location of the cars may be, I do not know; but the matter has all been disposed of by common consent.

Mr. POMERENE. So that the only matter that remains unsettled is the determination of the character of these securities?

Mr. CUMMINS. That is all. The only question is one of authority. Does the President of the United States have the authority under the act of March 21, 1918, to do the thing which he desires to do? The lawyers in New York hold that he has not that authority; his own advisers say he has; and this bill is to remove the uncertainty or doubt with regard to the power.

I ask unanimous consent for the present consideration of the bill.

Mr. ROBINSON. Mr. President—

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. ROBINSON. I do not object to unanimous consent for the present consideration of this bill, but suggest, on the contrary, that it should be granted. I think the bill should be considered and disposed of very promptly.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent for the present consideration of a bill the title of which will be stated by the Secretary.

The SECRETARY. A bill (S. 3319) to provide for the reimbursement of the United States for motive power, cars, and other equipment ordered for railroads and systems of transportation under Federal control, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That in order to make provision for the reimbursement of the United States for the sums advanced to provide motive power, cars, and other equipment ordered by the President for

the railroads and systems of transportation now under Federal control, herein called "carriers," pursuant to the authority conferred by the second paragraph of section 6 of the act of March 21, 1918, the President may, upon such terms as he shall deem advisable, receive in reimbursement cash, or obligations of any carrier, or part cash and part such obligations, or in his discretion he may accept for such motive power, cars, or other equipment, cash or the shares of stock or obligations, secured or unsecured, of any corporation not a carrier organized for the purpose of owning equipment or equipment obligations, or part cash and part such shares of stock and obligations, and he may transfer to such corporation any obligations of carriers received on account of motive power, cars, or other equipment, and he may execute any instruments necessary and proper to carry out the intent of the second paragraph of section 6 of said act of March 21, 1918, to the end that title to the motive power, cars, and other equipment so ordered by the President as aforesaid for the carriers may rest in them or their trustees or nominees.

In addition to the powers herein and heretofore conferred, the President is further authorized to dispose, in the manner and for the consideration aforesaid, of motive power, cars, and other equipment, if any, provided by him in accordance with any other provisions of said section, and of any obligations of carriers that may be received in reimbursement of the cost thereof.

SEC. 2. That any contract for the sale of any motive power, cars, or other equipment ordered or provided under any of the provisions of section 6 of said act of March 21, 1918, may provide that title thereto, notwithstanding delivery of possession, shall not vest in the carrier until the purchase price, which may be payable in installments during any period not exceeding 15 years, shall be fully paid and the conditions of purchase fully performed. Any such contract shall be in writing, and acknowledged or proved before some person authorized to administer oaths, and filed with the Interstate Commerce Commission within 60 days after the delivery thereof, and shall be valid and enforceable as against all persons whomsoever.

SEC. 3. That nothing herein contained shall be deemed to abrogate or limit the powers conferred upon the President by said act of March 21, 1918.

SEC. 4. That the President may execute any of the powers herein granted through such agencies as he may determine.

SEC. 5. That this act is emergency legislation, enacted to meet conditions growing out of war and to effectuate said act of March 21, 1918.

Mr. ROBINSON. Mr. President, reference is made in the bill to section 6 of the act of March 21, 1918, which is the so-called Federal-control act. I ask that section 6 of that act be inserted in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

SEC. 6. That the sum of \$500,000,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, which, together with any funds available from any operating income of said carriers, may be used by the President as a revolving fund for the purpose of paying the expenses of the Federal control, and so far as necessary the amount of just compensation, and to provide terminals, motive power, cars, and other necessary equipment, such terminals, motive power, cars, and equipment to be used and accounted for as the President may direct and to be disposed of as Congress may hereafter by law provide.

The President may also make or order any carrier to make any additions, betterments, or road extensions, and to provide terminals, motive power, cars, and other equipment necessary or desirable for war purposes or in the public interest on or in connection with the property of any carrier. He may from said revolving fund advance to such carrier all or any part of the expense of such additions, betterments, or road extensions, and to provide terminals, motive power, cars, and other necessary equipment so ordered and constructed by such carrier or by the President, such advances to be charged against such carrier and to bear interest at such rate and be payable on such terms as may be determined by the President, to the end that the United States may be fully reimbursed for any sums so advanced.

Any loss claimed by any carrier by reason of any such additions, betterments, or road extensions so ordered and constructed may be determined by agreement between the President and such carrier; failing such agreement the amount of such loss shall be ascertained as provided in section 3 thereof.

From said revolving fund the President may expend such an amount as he may deem necessary or desirable for the utilization and operation of canals, or for the purchase, construction, or utilization and operation of boats, barges, tugs, and other transportation facilities on the inland, canal, and coastwise waterways, and may in the operation and use of such facilities create or employ such agencies and enter into such contracts and agreements as he shall deem in the public interest.

Mr. ROBINSON. I call particular attention to the first and second paragraphs of that section, which are as follows:

That the sum of \$500,000,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, which, together with any funds available from any operating income of said carriers, may be used by the President as a revolving fund for the purpose of paying the expenses of the Federal control, and so far as necessary the amount of just compensation, and to provide terminals, motive power, cars, and other necessary equipment, such terminals, motive power, cars, and equipment to be used and accounted for as the President may direct and to be disposed of as Congress may hereafter by law provide.

The President may also make or order any carrier to make any additions, betterments, or road extensions, and to provide terminals, motive power, cars, and other equipment necessary or desirable for war purposes or in the public interest on or in connection with the property of any carrier. He may from said revolving fund advance to such carrier all or any part of the expense of such additions, betterments, or road extensions, and to provide terminals, motive power, cars, and other necessary equipment so ordered and constructed by such carrier or by the President, such advances to be charged against such carrier and to bear interest at such rate and to be payable on such terms as may be determined by the President, to the end that the United States may be fully reimbursed for any sums so advanced.

Under the authority of section 6, as stated by the Senator from Iowa, there have been expenditures aggregating approximately \$1,000,000,000, and this sum is now due the Government from the railroads. This bill proposes an arrangement by which a portion of that amount may be reimbursed to the Government through the activities of a car trust.

It is observable that section 6 of the Federal control act contemplates additional legislation, and without going into that subject in detail, it does seem to me that there is sufficient doubt as to the authority of the President to make this arrangement to justify the legislation which the Senate is now considering.

The bill relates to one of the complicated problems growing out of Federal control. It effectuates an amicable agreement which has finally been reached between the Railroad Administration and the carriers. The benefits that will accrue to the Government are in part, at least, that the Government promptly will be reimbursed in the sum of something like \$225,000,000—I believe the Senator from Iowa has stated that—and the Government will therefore be relieved from carrying that sum in the future.

Mr. President, it is, of course, clear that the railroads themselves will be benefited by the arrangement which this bill carries out. It will relieve them from the immediate obligation to reimburse the Government for approximately \$225,000,000 which, considered in connection with their other obligations, it is impossible, or at least impracticable, for them immediately to pay. They must be given time, and if the plan of this bill should be rejected and no other is adopted, this part of the debt of the railroads to the Government will have to be funded along with the remainder. In my judgment this is about the best arrangement that has been suggested, and the bill ought to be enacted.

Let me call to the attention of the Senator from Iowa some language in the bill, and ask him a question regarding it.

It is provided by section 2—

That any contract for the sale of any motive power, cars, or other equipment ordered or provided under any of the provisions of section 6 of said act of March 21, 1918, may provide that title thereto, notwithstanding delivery of possession, shall not vest in the carrier until the purchase price, which may be payable in installments during any period not exceeding 15 years, shall be fully paid and the conditions of purchase fully performed.

This language is also found:

Any such contract shall be in writing, and acknowledged or proved before some person authorized to administer oaths, and filed with the Interstate Commerce Commission within 60 days after the delivery thereof.

I wonder if the Senator from Iowa can state whether it is the intention of this language to require both parties to the contract to swear to it or to acknowledge it, using the exact language of the bill, or whether it is merely intended that the proper officers of the carriers may make such acknowledgment?

Mr. CUMMINS. Mr. President, the plan is that the Government shall transfer the title of these properties, the equipment properties, to a corporation which I assume is to be organized under the law of a State. The corporation is then to transfer conditionally the title of the property to the several carriers; and that contract, being one of sale, is to be acknowledged and filed with the Interstate Commerce Commission.

Mr. ROBINSON. Both by the Government corporation and by the carrier corporation?

Mr. CUMMINS. Both.

Mr. ROBINSON. That is the information which I desired upon that point. Now, calling attention to section 5, this language—

That this act is emergency legislation, enacted to meet conditions growing out of war and to effectuate said act of March 21, 1918.

What is the value and what is the effect of that language?

Mr. CUMMINS. Mr. President, I think it has no value whatever, nor has it any meaning; but the bill which I introduced and which was before the Interstate Commerce Committee was prepared jointly, as I understand, by the Railroad Administration or its advisers, by the attorneys for the banking institutions which were to underwrite the certificates, and by the carriers; and it came to me with a memorandum that it had been agreed upon in that form by all these parties. I perceived at once that this last section has no effect whatever, or is of no value whatever, but I did not think it was sufficiently important to change it.

Mr. ROBINSON. I do not see any objection to the language, but I agree with the Senator from Iowa that it has very little if any legal effect.

I am satisfied that the bill ought to pass.

Mr. SMOOT. Mr. President, as I understand the situation, the Government has purchased \$375,000,000 worth of motive power—cars and other railroad equipment—and this is to be

transferred to a corporation to be hereafter organized. That corporation is to pay to the Government \$225,000,000 in cash, and the Government is to take the obligation of the corporation for another \$150,000,000.

Mr. CUMMINS. No; that is not quite the arrangement. Assuming that the amount is \$375,000,000—and it may vary; it may be \$10,000,000 more or \$10,000,000 less—the Government is to transfer to this corporation to be organized this property, and the corporation is then to transfer it to the several railroad companies to which it has been allocated by the Government itself by arrangement already made. The company is thereupon to issue car-trust certificates.

Mr. SMOOT. For \$225,000,000?

Mr. CUMMINS. For about \$250,000,000, and the Government is to subscribe to the stock of the corporation in a sum of about \$150,000,000. The corporation then disposes of the car-trust certificates through the bankers who have already entered into an agreement to underwrite them. About \$25,000,000 of the proceeds are to be deposited as a reserve fund with the Government; \$225,000,000 of the proceeds are to be applied upon the general indebtedness of the railroads, extinguishing that amount of the indebtedness which the railroads now owe the Government, and the Government has in its possession, free and clear, about \$225,000,000.

The carriers agree to pay all the interest charges, not only upon the stock but upon the car-trust certificates, and one-fifteenth of the principal each year, so that the whole sum at the end of 15 years is satisfied and discharged.

Mr. SMOOT. I can not see yet, Mr. President, but what the railroad companies will owe the corporation \$150,000,000 instead of owing it to the Government as to-day. The Government turns over \$375,000,000, in round numbers, of railroad equipment to the corporation that is to be organized. That corporation then transfers all this property to the railroads, according to their needs, as agreed to by the Government and the railroads.

Mr. CUMMINS. No; the carriers give the corporation of which I am speaking their obligations for \$375,000,000.

Mr. SMOOT. That is exactly what I said in the first place, instead of the obligation of the railroads of \$375,000,000 being with the Government, the railroads will be obligated to the corporation to be incorporated.

The CUMMINS. I think so.

Mr. SMOOT. The railroad equipment has been turned over to the corporation by the Government. Therefore it seems to me that the corporation should in some way pay \$150,000,000 more than the \$225,000,000, and not the railroads, because the railroads will have to pay it to the corporation and the corporation to the Government.

Mr. CUMMINS. The railroads execute their obligation to the corporation for the entire sum.

Mr. SMOOT. That is as I understand it.

Mr. CUMMINS. And upon the sum, and upon the additional title which is transferred, the corporation issues \$250,000,000 of car-trust certificates. The bankers take them, and that amount is turned over to the Government. The Government subscribes for \$150,000,000 of the stock of the company and carries for 15 years the debt that it now has in that form.

Mr. SMOOT. In other words, the Government, instead of carrying an obligation against the railroads for the \$150,000,000, subscribe to the stock of this corporation for \$150,000,000, and they then in turn will take their chance, at the dissolution of the corporation, of receiving back that amount. No doubt they will receive it back, and they certainly will if the railroads have already agreed to take the property at \$375,000,000.

Mr. CUMMINS. Exactly.

Mr. SMOOT. That is as I understood the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THREATENED STRIKE OF COAL MINERS.

Mr. THOMAS. Mr. President, I move that the Senate proceed to the consideration of the joint resolution (S. J. Res. 120) assuring the national administration of the unqualified support of the Congress in dealing with the impending strike of coal miners in the United States.

The PRESIDENT pro tempore. The Senator from Colorado moves that the Senate proceed to the consideration of Senate joint resolution 120.

Mr. GRONNA. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	McCormick	Robinson
Ball	Hale	McKellar	Sheppard
Bankhead	Harris	McNary	Shields
Borah	Harrison	Moses	Simmons
Brandegee	Henderson	Myers	Smith, Ariz.
Calder	Hitchcock	Nelson	Smith, Ga.
Capper	Johnson, Calif.	New	Smith, Md.
Chamberlain	Johnson, S. Dak.	Newberry	Smoot
Colt	Jones, N. Mex.	Norris	Spencer
Cummins	Jones, Wash.	Nugent	Swanson
Curtis	Kendrick	Overman	Thomas
Dial	Kenyon	Owen	Townsend
Dillingham	Keyes	Page	Trammell
Elkins	King	Phlips	Walsh, Mass.
Fall	Kirby	Pittman	Walsh, Mont.
Fernald	Knox	Poinexter	Warren
Fletcher	La Follette	Porcenne	Wolcott
Gay	Lodge	Ransdell	

Mr. SHEPPARD. The Senator from Mississippi [Mr. WILLIAMS], the Senator from Rhode Island [Mr. GERRY], and the Senator from California [Mr. PHELAN] are absent on official business. The Senator from South Carolina [Mr. SMITH] is detained from the Senate by illness in his family. The senior Senator from Kentucky [Mr. BECKHAM] and the junior Senator from Kentucky [Mr. STANLEY] are absent on public business.

The PRESIDENT pro tempore. Seventy-one Senators have answered to their names. There is a quorum present. The question is upon the motion of the Senator from Colorado.

Mr. BORAH. Mr. President, is the motion of the Senator from Colorado now before the Senate?

The PRESIDENT pro tempore. The Chair understands that the Senator from Colorado has moved to proceed to the consideration of Senate joint resolution 120.

Mr. BORAH. I have no objection to that.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read as follows:

Joint resolution (S. J. Res. 120) assuring the national administration of the unqualified support of the Congress in dealing with the impending strike of coal miners in the United States.

Whereas the officers of the United Mine Workers of America have ordered all miners in the bituminous coal mines of the United States to strike on Saturday, the 1st day of November next, notwithstanding efforts of the Secretary of Labor to secure some basis of negotiation suspending or preventing same; and

Whereas the representatives of said organization have arbitrarily rejected the President's earnest counsel for compromise; and

Whereas strikes in other fields of industry heretofore ordered and still unsettled threaten to continue indefinitely; and

Whereas demands for increased wages and shorter hours, accompanied by expressed or implied determination to enforce such demands, if necessary, by strikes in other fields of industry, have been and are being made; and

Whereas the threatened strike of the bituminous coal miners will, if carried into effect, interfere with, injure, or suspend nearly all the national pursuits and industries, inflict continued and incredible hardship and suffering upon all the people of the United States and provoke disorder, violence, bloodshed, and insurrection throughout the land; and

Whereas the enforcement of the law and the maintenance of order for the security of life and property and the protection of the individual citizen in the exercise of his constitutional rights is the first and paramount duty of the Government and must be at all times vigorously and effectively safeguarded by the use of every means essential to that end; Therefore be it

Resolved, etc., That we hereby give the national administration and all others in authority the assurance of our constant, continuous, and unqualified support in the great emergency confronting us, and call upon them to vindicate the majesty and power of the Government in enforcing obedience to and respect for the Constitution and the laws, and in fully protecting every citizen in the maintenance and exercise of his lawful rights and the observance of his lawful obligations.

Mr. BORAH. Mr. President, did the Senator from Colorado intend to address the Senate?

Mr. THOMAS. No, Mr. President; I think the proclamation of the Attorney General, if I may call it so, which was published in the morning papers, is all the argument that may be needed for such a resolution. I think it ought to be passed without objection.

Mr. BORAH. Mr. President, I have no objection to the body of the resolution proper, with a slight change which might be made, because, as I understand the resolution, it does nothing more than indorse the action of the Government in maintaining law and order.

Mr. THOMAS. What change does the Senator recommend?

Mr. BORAH. The first change I was going to recommend was to strike out the preamble.

Mr. THOMAS. But the Senator stated that he had no objection to the body of the resolution, with a slight amendment, and my inquiry goes to that.

Mr. BORAH. The amendment which I had in mind was the amendment which the Senator and I discussed the other day, which I understood was satisfactory to the Senator; that is, to insert, after the word "Government," on page 2, line 7, the

words "in using such constitutional means as may seem necessary."

Mr. THOMAS. Mr. President, if it will facilitate immediate action upon the resolution, I want to state to the Senate that I am not insistent upon the preamble. I think the preamble should remain in the resolution. That is a personal opinion, however. But, of course, I am more concerned about the resolution itself.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Idaho.

The SECRETARY. On page 2, in line 7, after the word "Government," insert the words "by resorting to such constitutional means as may be necessary."

Mr. THOMAS. "Constitutional and lawful means."

Mr. BORAH. Very well; that suits me just as well.

The amendment as modified was agreed to.

Mr. BORAH. Mr. President, I desire to ask the Senator if he is willing to strike out the preamble?

Mr. ROBINSON. May I ask whether the amendment submitted by the Senator from Idaho was agreed to?

The PRESIDENT pro tempore. It was agreed to.

Mr. MCCORMICK. Mr. President, what is the part of the preamble to which the Senator from Idaho refers? Is it the first three lines?

Mr. BORAH. All the "Whereases," so as to restrict it to the resolution itself.

Mr. THOMAS. The preamble extends to the line numbered 1 on page 2. So far as I am authorized to do so, I am willing to accept the suggestion of the Senator from Idaho.

Mr. BORAH. I move to strike out the title and the preamble, except the words "joint resolution," beginning with the word "assuring" and ending with the word "end," on page 2, at the close of the preamble.

The PRESIDENT pro tempore. The Chair is of the opinion that amendments to the preamble should follow the disposition of the resolution itself. The Chair is not entirely certain of that, but thinks the rules of the Senate so provide in effect.

Mr. BORAH. In this particular instance I would not vote for the preamble itself and would want to oppose the joint resolution with the preamble in it. The Senator from Colorado has a perfect right, of course, to amend the joint resolution in any way he desires.

The reason why I am opposed to the preamble is because, in my judgment, it recites and concludes the case against the miners, which I do not think we ought to undertake to do upon such facts as we have before us. Indeed, as a legislative body, we have nothing to do. So far as supporting the Government in maintaining law and order and protecting the rights in the district and protecting lives in the district, of course I desire to be recorded in favor of it, but I do not want to vote even in the form of a preamble for a statement of fact which seems to pass upon the question as between the operators and the miners. While perhaps the rule is as the Chair states it, I think we ought to settle the preamble in this case before we vote upon the joint resolution.

The PRESIDENT pro tempore. The Chair is so doubtful about the application of the rule that he will not enforce it unless the point is raised by some Senator. The proposed amendments to the preamble can proceed.

Mr. THOMAS. While I do not believe that the preamble to the proposed joint resolution has the effect which the Senator from Idaho has stated, I am willing to accept any method of securing favorable action upon the joint resolution itself that is possible, without making the motion myself.

Mr. BORAH. Then I make the motion, Mr. President, that all after the title, "Joint resolution" down to the word "Resolved," in line numbered 1 on page 2, be stricken out.

Mr. BRANDEGEE. I wish to ask the Senator from Idaho if he sees any particular objection to leaving in the last clause of the preamble, on page 2? It seems to me to be germane and a rather appropriate description of the relation in the body of the resolution.

Mr. BORAH. That is an axiomatic proposition, with which I have no controversy. That is merely stating in the preamble what is contained in the resolution proper, to wit, the enforcement of law and the maintenance of order. I have no objection to that, if the Senator desires to leave it in.

Mr. BRANDEGEE. As the Senator says, it may be axiomatic, but it calls the attention of the country to the fact that it is the paramount duty of the Government at all times effectively to safeguard life and property, and I think it is very proper to state it in this connection.

Mr. BORAH. I have no objection to that, because I am in favor of maintaining law and order.

Mr. LODGE. Mr. President, I wish to say to the Senator that there certainly can be no doubt that the title may not be amended until after the joint resolution is passed, but in this instance I have no objection to doing that. I do not think, however, that we ought to fall into the practice of amending the title before a bill or joint resolution is passed.

Mr. BORAH. I ask unanimous consent that the title be stricken out. I am not going to support the joint resolution with any such generalizations in it.

Mr. BRANDEGEE. To which portion of the preamble does the Senator refer?

Mr. BORAH. I mean where it says, "assuring the national administration of the unqualified support of the Congress in dealing with the impending strike of coal miners in the United States," and so forth.

Mr. THOMAS. As I understand the motion of the Senator now—

Mr. JONES of New Mexico. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The Senator from New Mexico will state his point of order.

Mr. JONES of New Mexico. Rule XXIII reads:

When a bill or resolution is accompanied by a preamble, the question shall first be put on the bill or resolution and then on the preamble, which may be withdrawn by a mover before an amendment of the same, or ordering of the yeas and nays; or it may be laid on the table without prejudice to the bill or resolution, and shall be a final disposition of such preamble.

Mr. LODGE. There is no doubt about the rule, but that we can do what we desire by unanimous consent was my suggestion.

The PRESIDENT pro tempore. The Chair did not hear the point of order raised by the Senator from New Mexico. The Senator will state it again.

Mr. THOMAS. Mr. President, I think I can relieve the situation. I will accept the amendment offered by the Senator from Idaho to eliminate all matter in the resolution beginning with the word "assuring" on page 1 and including the first whereas on the second page.

Mr. POMERENE. Does not the Senator want to include in his motion the following words, "Therefore be it"?

Mr. BORAH. They are in now.

Mr. POMERENE. They should be included in the motion just made.

Mr. LODGE. A parliamentary inquiry, Mr. President. The Senator from Colorado is not required to make a motion; he can modify his own resolution.

Mr. POMERENE. I was just going to suggest that he would want to begin his resolution with the word "Resolved."

Mr. THOMAS. It does so begin. The preamble precedes instead of succeeding the word "Resolved."

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Idaho that the preamble of the joint resolution shall be considered before the disposition of the resolution itself?

Mr. LODGE. Mr. President, the right to modify at this stage belongs to the mover of the resolution, and if he cares to modify it, it can be done, of course, under the rule.

Mr. THOMAS. I consent to the modification of the joint resolution by accepting the amendment proposed by the Senator from Idaho, and ask to strike out all in the resolution beginning with the word "assuring," on the first page, and extending to and including the first whereas of the preamble, on page 2, so that the resolution will begin with the last whereas, on page 2, and comprise that whereas and the resolution itself.

Mr. McCORMICK. I want to suggest to the Senator from Colorado, in view of the amendment to the preamble, that the emergency to which reference is made in line numbered 5 on page 2 might be any great emergency. I suggest that the words "confronting us" be stricken from the resolution, and that in lieu thereof the words be inserted "arising out of the impending strike of bituminous coal miners."

Mr. THOMAS. I accept the amendment.

Mr. BORAH. May I ask that the amendment be read as amended?

The PRESIDENT pro tempore. The Secretary will read the joint resolution as modified.

The SECRETARY. It is proposed, on page 2, in lines numbered 5 and 6, to strike out the words "confronting us" and insert in lieu thereof the words "arising out of the impending strike of bituminous coal miners," so that as amended the resolution has no title and reads as follows:

Whereas the enforcement of the law and the maintenance of order for the security of life and property and the protection of the individual citizen in the exercise of his constitutional rights is the first and paramount duty of the Government and must be at all times vigorously and effectively safeguarded by the use of every means essential to that end: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That we hereby give the na-

tional administration and all others in authority the assurance of our constant, continuous, and unqualified support in the great emergency arising out of the impending strike of bituminous coal miners, and call upon them to vindicate the majesty and power of the Government by resorting to such constitutional and lawful means as may be necessary in enforcing obedience to and respect for the Constitution and the laws, and in fully protecting every citizen in the maintenance and exercise of his lawful rights and the observance of his lawful obligations.

The PRESIDENT pro tempore. Shall the joint resolution as amended be reported to the Senate?

Mr. FRANCE. I call for the yeas and nays.

Mr. BORAH. Before the yeas and nays are ordered, while I have no objection to that, yet I wish to make just a brief statement in order that I may not be misunderstood hereafter.

The letter of the Attorney General, in so far as it states the duty of the Government with reference to upholding and enforcing the law with reference to the rights of citizens, meets with my entire and hearty approval. But, Mr. President, I disagree with the Attorney General upon some of the facts which he has stated in his letter. I do not know that it is necessary at this time to discuss them; perhaps it is not necessary to go further than to merely state them.

I think the contract under which these men were working has terminated. I do not believe it is in existence at this time.

It is not existent for the reason, first, that so far as this contract is concerned the war is over, and, even if that were not true, the action of the Government with reference to this particular contract heretofore has, in my judgment, terminated it. I do not want, therefore, by reason of what the Senator from Colorado [Mr. THOMAS] has stated, that the statement of the Attorney General is sufficient and ample to cover the entire matter, to be understood as admitting that the contract under which the miners were operating is still in existence. That is a debatable question, in my judgment, to say the least.

Mr. POMERENE. Mr. President, will the Senator from Idaho yield to me?

Mr. BORAH. I yield.

Mr. POMERENE. I, perhaps, ought to say, preliminarily, that I do not agree with the Senator from Idaho that the war has terminated or that this contract has terminated; but I desire to call the Senator's attention to the language following that statement in the Attorney General's letter in which he says that there are other contracts in which there is no such limitation. I may not state the exact language, but that is the substance of it.

Mr. BORAH. I do not admit the fact. There is no other contract under which strikes are being ordered. I may be in error, but I have that statement from those who ought to know.

Mr. THOMAS. The Senator from Idaho is mistaken about that in so far as some of the mines in Colorado are concerned.

Mr. BORAH. Of course, I have not seen the contracts, but I have the statement from those who are in a position to know, who claim that those contracts are not being disregarded. What I have reference to when I say that the contract is no longer binding is the contract to which the Attorney General refers in particular, leaving out now the disputed proposition as to whether there are other contracts which are under different conditions and are expressed in different terms; but the contract to which the Attorney General refers as not being terminated, in my judgment, is terminated; at least it is a debatable question, and I do not want to be concluded upon it by any vote that I cast here to-day.

Mr. BRANDEGEE. Mr. President, of course I am in favor of the adoption of every lawful means by the Government to protect persons and property in times of disturbance in this country. Before proceeding I should like, if I may, to have the attention of the Senator from Colorado [Mr. THOMAS] for just a moment, inasmuch as the suggestion I am about to make concerns his resolution. There was inserted, at the suggestion of the Senator from Idaho [Mr. BORAH], in the latter part of the joint resolution, where it calls upon the Government to vindicate the majesty and power of the Government, a provision that it should do so in a lawful and constitutional manner. There is no such provision in the first part of the joint resolution, in which we pledge our support unqualifiedly. While, of course, I am not assuming that the Government will adopt any unlawful means, I am aware that in times of great excitement, where great conflicting interests depend upon the exercise of severe measures of restraint, there is frequently a difference of opinion as to whether some means employed by governments in times of emergency may or may not be lawful. Unless the resolution has been amended without my knowledge, it now provides:

That we hereby give the national administration and all others in authority the assurance of our constant, continuous, and unqualified support in the great emergency—

And so forth.

That, Mr. President, absolutely pledges us to an unqualified support of anything that the Government may do.

Mr. THOMAS. But the Senator from Connecticut has overlooked the first amendment which was offered by the Senator from Idaho [Mr. BORAH].

Mr. BRANDEGEE. I should be glad to have my attention called to it.

Mr. THOMAS. The first amendment proposed by the Senator from Idaho refers to that identical question.

Mr. BORAH. My amendment reads, "by resorting to such constitutional and lawful means as may be necessary."

Mr. BRANDEGEE. But the Senator from Idaho put that in the place where we call upon the administration "to vindicate the majesty and power of the Government"; but he did not put it in the place where we pledge ourselves unqualifiedly to support the national administration, and so forth. While I intend to give every support possible to any lawful action of the Government, I feel a little hesitant concerning the phraseology, because I would not support the Government in what I thought was an unlawful procedure any more than I would support the coal miners in an unlawful procedure.

I want the language so framed that if the Government at some time shall do something that I think is a gross violation of the constitutional right of an American citizen, I shall not have this thrown in my face and be accused of a breach of faith on my part. I do not think we ought to pledge unqualified support to some excited military commander or some Attorney General who may take an entirely different view of the Constitution of this country from that the Senate takes.

I desire to make a suggestion, which I do not think will weaken the resolution at all, but which will make it more agreeable to me at least. In line 5, on page 2, after the word "support," or at any other place where it will accomplish the purpose, I suggest the insertion of some language like this, "in the use of all lawful means," so as to read, "support in the use of all lawful means in the great emergency confronting us."

Mr. BORAH. I think that is a very good suggestion, but as the sentence is punctuated, the amendment which I offered covers the same thing. However, I myself have no objection to the amendment suggested by the Senator from Connecticut.

Mr. BRANDEGEE. If the punctuation makes the language susceptible of that construction, I shall certainly not press my amendment; but in line 6, as the Senator will notice, after pledging our support, it proceeds to a different proposition and says, "and call upon them to vindicate the majesty and power of the Government," and so forth.

I will propose an amendment if the Senator from Colorado himself does not wish to modify his resolution to meet the suggestion.

Mr. THOMAS. Mr. President, I feel perfectly certain that the amendment proposed by the Senator from Idaho covers the identical objection, and I am unable to perceive the necessity of duplicating it, as would be the case if the suggestion of the Senator from Connecticut were acted upon.

Mr. BRANDEGEE. Mr. President, in view of that statement I will not offer the amendment. I have the assurance of the Senator from Colorado that he thinks that is the sense of the joint resolution now. All I want to preserve is my right to criticize an unlawful act of the Government.

Mr. THOMAS. I think that that is unquestionably the effect of the amendment of the Senator from Idaho, but if it will suit the Senator from Connecticut better, I am perfectly willing, with his consent, to transpose the amendment by inserting it between the word "support" and the word "in," in line 5.

Mr. BRANDEGEE. The Senator from Colorado, if I understand him, suggests to the Senator from Idaho that the amendment which was agreed to in the place where the Senator from Idaho suggested it be inserted should be transposed so as to follow the word "support," in line 5, and thus modify the whole provision.

Mr. BORAH. That is perfectly satisfactory to me.

Mr. THOMAS. Very good; that is agreeable.

Mr. McCORMICK. Let the joint resolution as amended be read.

The PRESIDENT pro tempore. The Secretary will read the joint resolution as amended.

The SECRETARY. It is proposed to amend the joint resolution by inserting the words "by resorting to such constitutional and lawful means as may be necessary," to follow the word "support," in line 5—

Mr. THOMAS. Now, let the Secretary read the resolution as amended.

The Secretary read as follows:

Resolved, etc., That we hereby give the national administration and all others in authority the assurance of our constant, continuous, and unqualified support by resorting—

Mr. BORAH. Instead of the words "by resorting to," I suggest that the words "in the use of" be employed. That would be better language.

The Secretary read as follows:

That we hereby give the national administration and all others in authority the assurance of our constant, continuous, and unqualified support in the use of such constitutional and lawful means as may be necessary in the great emergency arising out of the impending strike of bituminous coal miners, and call upon them to vindicate the majesty and power of the Government in enforcing obedience to and respect for the Constitution and the laws, and in fully protecting every citizen in the maintenance and exercise of his lawful rights and the observance of his lawful obligations.

Mr. THOMAS. Mr. President, the junior Senator from Illinois has suggested to me the striking out of the words "and call upon them to vindicate," in line 6, and substituting therefor the words "in vindicating."

Mr. McCORMICK. "And in vindicating."

Mr. THOMAS. "And in vindicating." That suggestion I am very glad to accept.

Mr. SMOOT. Mr. President, may I call the attention of the Senator from Colorado to the fact that transposing the amendment offered by the Senator from Idaho in its modified form it appears to me will make the meaning rather obscure. I therefore suggest to the Senator that the word "in" be stricken out and the words "to meet" be inserted.

Mr. THOMAS. In what line?

Mr. SMOOT. On page 2, line 5, after the word "necessary," at the end of the amendment proposed by the Senator from Idaho, insert the words "to meet," so as to read "to meet the great emergency confronting us."

Mr. THOMAS. "Unqualified support to meet"—that is not grammatical.

Mr. SMOOT. "To meet the great emergency confronting us," so that it would read in this way:

That we hereby give the national administration and all others in authority the assurance of our constant, continuous, and unqualified support in the use of such constitutional and lawful means as may be necessary to meet the great emergency confronting us.

Mr. THOMAS. I accept that suggestion.

Mr. KENYON. Mr. President, I should like to ask the Senator from Idaho what support Congress can give the Department of Justice or any other branch of the Government in carrying out the laws? Have they not full power now to execute the laws? What does this joint resolution amount to?

Mr. BORAH. This is not the joint resolution of the Senator from Idaho.

Mr. KENYON. The Senator was discussing it, and I was wondering just what support we could give the administration.

Mr. BORAH. I presume it would be a moral support.

Mr. THOMAS. Precisely.

Mr. KENYON. Moral support?

Mr. BORAH. Yes; but, of course, as a legal proposition we are not giving them any additional support at all.

Mr. FALL. What is the difference between a moral obligation and a legal obligation?

Mr. GORE. That is a point in casuistry.

Mr. KING. The question might be referred to the league of nations society.

Mr. ROBINSON. Mr. President, I desire to call the attention of both the Senator from Idaho and the Senator from Colorado to the fact that the amendment as now proposed strikes out the title of the joint resolution. I think that under the procedure and practice of the Senate, and, in fact, of both Houses of Congress, a joint resolution should have a title. For instance, the rule provides for the reading of bills the first and second time by title only, and that rule applies to joint resolutions. I desire to suggest that some title appropriate to the joint resolution as it has been agreed upon or is about to be agreed upon should be inserted as a part of the amendments that are being arranged.

The PRESIDENT pro tempore. The Chair desires to state that it is the joint resolution that is now before the Senate; the preamble is not before the Senate at this time.

Mr. ROBINSON. I was not speaking of the preamble. I was speaking of the title.

Mr. LODGE. Mr. President, I do not know that the Senator from Arkansas was here, but I called attention to that point, and the title—which, of course, under the rule must be dealt with last—was stricken out by unanimous consent. Of course, we can do anything by unanimous consent.

Mr. ROBINSON. Certainly; and I presume by unanimous consent we can adopt a title after we have adopted the joint resolution.

Mr. LODGE. I think we are bound to do so.

Mr. ROBINSON. The Senator, then, agrees with me that the joint resolution must have a title?

Mr. LODGE. I should say so, offhand.

Mr. BORAH. Well, we can name the child after it is born.

Mr. GORE. Mr. President—

Mr. THOMAS. I am perfectly willing to meet that difficulty, if it can be done, by making this a concurrent instead of a joint resolution. I understand that a concurrent resolution does not require a title. I inquire of the Senator from Massachusetts whether that is the case or not.

Mr. LODGE. I should suppose that any resolution would require a title. I have not the rule before me.

Mr. THOMAS. I do that in deference to the Senator from Idaho. Personally I am satisfied with the title to this joint resolution. I think the Senator's amendment went too far, but for the purpose of securing immediate action I was willing to accept it.

Mr. FALL. Mr. President, I think by all means it ought to be a joint resolution, as it is a reassurance to the Chief Magistrate of this country. If it is a joint resolution, it will be sent to him. If it is a concurrent resolution, it will rest in our archives.

Mr. THOMAS. It will go to him anyway.

Mr. GORE. Mr. President, I had risen to suggest the action just proposed by the Senator from Colorado that this be changed from a joint resolution to a concurrent resolution. It would only be a joint resolution on the assumption that it required the President's signature. A concurrent resolution, of course, does not require the President's signature. It seems to me that a resolution of reassurance of this character ought not to call for his signature. It is purely an expression of congressional support, looking to the equal punishment of the offending and the equal protection of the unoffending.

Mr. LODGE. The rule simply says "a resolution." It does not confine it. It says "a bill or resolution." That covers all resolutions.

Mr. JONES of Washington. Mr. President, I desire to ask whether or not the statement of the Attorney General has been put in the RECORD?

The PRESIDENT pro tempore. The Chair is advised that it has not.

Mr. JONES of Washington. The Attorney General is the legal adviser of the administration. He states pretty clearly his idea as to the legal effect of the present situation. I ask that the statement of the Government's side, as appearing in the Washington Post this morning, together with the statement of the miners' side, may be inserted in the RECORD. The article is headed, "Two sides to the coal strike."

The PRESIDENT pro tempore. Is there objection?

Mr. HITCHCOCK. I would suggest to the Senator that it might be well in connection with that statement to have inserted also the proclamation of the President which preceded these statements.

Mr. SMOOT. I think that has been put in the RECORD.

Mr. HITCHCOCK. I am not sure. I did not request it, and I do not know that anyone has done so.

Mr. JONES of Washington. I do not see that here, but I have no objection to its going in.

Mr. HITCHCOCK. I think that would be wise.

Mr. KING. Mr. President, if the Senator will permit me, that went into the RECORD in the House day before yesterday.

Mr. HITCHCOCK. Very well.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Washington? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the Washington Post, Oct. 30, 1919.]

THE TWO SIDES TO THE COAL STRIKE.

The United States Government's Side.

Attorney General Palmer issued the following statement outlining the Government's attitude toward the coal strike at the Department of Justice at 8 o'clock last night after a long conference with Secretary Wilson, Director General Hines, Secretary Tumulty, Dr. Garfield, Assistant Attorneys General Francis P. Garvin and C. B. Ames:

"There can be no doubt that the Government has the power in the public interest, under the law, to deal with the projected strike of the bituminous coal miners without infringing upon the recognized right of men in any line of industry to work when they please and quit work when they please. The illegality of this strike can and will be established without in any way impairing the general right to strike, and the general right to strike is not in issue in any sense whatever in the present situation.

"This is true because the circumstances differentiate this case from the case of any other strike that has ever taken place in the country. It does not follow that every strike is lawful

merely because the right to strike is recognized to exist. Every case must stand upon its own bottom and be governed by its own facts. Therefore, when the President said in his statement last Saturday that 'such a strike in such circumstances' is not only unjustifiable but unlawful, reference was had only to the conditions in the pending situation.

"The proposed strike was ordered in a manner, for a purpose, and with a necessary effect, which, taken together, put it outside the pale of the law. After the war began the production of fuel was regarded as one of the subjects of such peculiar public importance as to justify a special statutory enactment.

"The Fuel Administration was created to supervise the subject, and matters of wages as well as prices were considered and sanctioned by the Fuel Administration. After the cessation of hostilities the Fuel Administration suspended certain of its orders, but did not terminate them, and they are subject to reinstatement at any time upon the President's order, and the statute under which the orders were made is still in full force.

RECALLS VIOLATION OF CONTRACT.

"With this situation existing, the convention of United Mine Workers at Cleveland, last September, decided to annul all wage contracts on November 1, and took the unprecedented step of deciding in advance of any opportunity for consultation either with the Government or with the coal operators, to strike on November 1, unless satisfactory new arrangements should be made.

"Without any expression from the workers themselves, the organization promulgated a demand for a 60 per cent increase in wages, a six-hour day, and a five-day week, and authorized a strike to be effective November 1, before the demands were even presented to the operators. The demand for a new wage agreement covered only a part of the coal fields, but the strike order was sent broadcast to workers in other fields where operators had been given no opportunity to even consider demand for increased wages or decreased hours.

"All this has been done while the miners in every field, through their right of collective bargaining, had entered into a solemn contract with the operators fixing wages and hours for a definite period which has not yet expired. The operators, upon the insistence of the President, indicated their willingness to negotiate and arbitrate providing the strike is deferred, while the miners rejected the President's request for arbitration as a means of settlement, and refused to defer the strike. Some of the wage contracts were made with the sanction of the Federal Government, operating through the Fuel Administration, to run during the continuation of the war, or until April 1, 1920. Many others, however, run until a time still in the future without regard for the continuation of the war.

"While it is perfectly plain that the war is still on and any contract running until its conclusion is still in force, whatever weight may be given to the argument that the successful operation of the war no longer requires such contracts, it has no application whatever to the large number of such contracts which expire at a fixed date without regard for the war period.

POSITION OF CONGRESS AND COURTS.

"The armistice did not end the war, and the courts in many cases have held that the war-emergency statutes are still in force. The same rule must apply to war-emergency contracts. The Congress has held to this position so late as October 22, when an act of Congress was approved making even more effective the food and fuel control act.

"The suspension of the restrictions as to the price of coal is not necessarily permanent, and conditions warrant a renewal of those restrictions at this time; and yet the Government, if it reinstates the order fixing a maximum price, would be absolutely helpless to protect the people against exorbitant prices of the product if the contracts made under its sanction should now be deliberately broken.

"This does not mean that a change could not be negotiated and either agreed upon or arbitrated if proper protection of the public be accorded in the settlement, but it does mean that the public welfare in the war-time emergency must still be the permanent interest to be served by both parties. The Government is the protector of the public welfare.

"The proposed strike, if carried to its logical conclusion, will paralyze transportation and industry; it will deprive unnumbered thousands of men who are making no complaint about their employment of their right to earn a livelihood for themselves and families; will put cities in darkness; and if continued only for a few days will bring cold and hunger to millions of our people; if continued for a month, it will leave death and starvation in its wake. It would be a more deadly attack upon the life of the Nation than an invading army.

MORE DEADLY THAN INVADERS.

"By enacting the food and fuel control act Congress has recognized the vital importance in the present circumstances of maintaining production and distribution of the necessities of life and has made it unlawful for any concerted action, agreement, or the arrangement to be made by two or more persons to limit the facilities of transportation and production, or to restrict the supply and distribution of fuel, or to aid or abet the doing of any act having this purpose or effect. Making a strike effective under the circumstances which I have described amounts to such concerted action or arrangement.

"It is the solemn duty of the Department of Justice to enforce this statute. We have enforced it in many cases. We must continue to do so, irrespective of the persons involved in its violation. I hope it will not be necessary to enforce it in this case. Indeed, I am hearing from many sources that large numbers of the miners themselves do not wish to quit work, and will not do so if assured of the protection of the Government, of which they properly feel themselves a part. It is probably unnecessary for me to say that such protection will everywhere be given, so that men may exercise their undoubted right of continuing to work under such terms and conditions as they shall see fit. The facts present a situation which challenges the supremacy of the law, and every resource of the Government will be brought to bear to prevent the national disaster which would inevitably result from the cessation of mining operations."

The Miners' Unions' Side.

INDIANAPOLIS, October 29.

The following statement was issued by the chiefs of the United Mine Workers after their conference here to-day:

"The conference of United Mine Workers, composed of members of the international executive board, the scale committee of the central competitive district, and the district presidents, United Mine Workers of America, gave most profound consideration to the statement of the President of the United States, which appeared in the public press recently, relative to the impending strike of bituminous miners set for November 1. No communication was received by the international officers of the United Mine Workers of America from either the President or any representative of the Federal Government.

"A canvas of the entire situation shows that a strike of bituminous miners can not be avoided. A regularly constituted convention of representatives of United Mine Workers held at Cleveland, Ohio, on September 25, ordered a strike of bituminous mine workers to become effective November 1 in the event a wage scale was not negotiated before that time.

ACCUSE THE OPERATORS AGAIN.

"The highest authority of the organization have acted in this manner, and no representatives of the organization have authority to set such action aside. The facts are that the same supreme authority which ordered the pending strike is the same as that which approved the contract which has now expired.

"The responsibility for the strike rests with the coal operators. They have refused to negotiate a wage agreement, notwithstanding the fact the mine workers' representatives have urged and beseeched them to do so. The fundamental causes which prompted the mine workers to take this drastic action are deep seated. For two years their wages have remained stationary. They appealed one year ago to the Federal Fuel Administrator, Dr. Garfield, and from him to the President of the United States, for an increase in wages sufficient to meet the increase in the cost of the necessities of life. Their appeal was rejected and their request refused. Notwithstanding this, they continued mining coal until now their contract expires, when they are determined that their grievances must be adjusted in a reasonably satisfactory manner.

"The courts have held that the workingmen have a right to strike and may quit work either singly or collectively for the purpose of redressing grievances and righting wrongs. The Constitution and guaranties of this free Government give men the right to work or quit work individually or collectively.

ACTING UNDER THE CONSTITUTION.

"The mine workers, therefore, are but exercising the right guaranteed by the Constitution and which can not be taken away by the representatives of government when they quit work or when they refuse to work until their grievances are adjusted. The mine workers' representatives are ready, willing, and anxious to meet the coal operators for the purpose of negotiating an agreement and bringing about a settlement of the present unhappy situation. They will respond at any time to call for such a meeting and will honestly endeavor to work out a wage agreement upon a fair and equitable basis, which agreement

alone will put the mines in operation and guarantee the Nation an adequate supply of coal. We assert that the mine workers have no other purpose in view—other than to secure a working wage agreement. All of their demands are incorporated in the wage proposal submitted to the coal operators, and each and all are subject to negotiation.

"Conscious of the grave responsibility resting upon the representatives of the coal miners, we have no other alternative than to carry out the instructions of the United Mine Workers' convention. The issue has been made, and if it must be settled upon the field of industrial battle, the responsibility rests fairly and squarely upon the coal barons alone."

Mr. KENYON. Mr. President, I should like to ask the Senator from Colorado if this should not be a concurrent resolution instead of a joint resolution? It requires the signature of the President, I assume, as a joint resolution, while a concurrent resolution would not require his signature.

Mr. THOMAS. A few moments ago the Senator from Oklahoma [Mr. GORE] suggested that it should be a concurrent resolution instead of a joint resolution.

Mr. KENYON. I did not hear him.

Mr. THOMAS. The Senator gave as his reason that inasmuch as this was a pledge of support to the administration its validity should not require the signature of the President; and I ask leave to make it a concurrent resolution if that should be its appropriate form. What I am concerned about is getting the resolution passed. It is not material about its designation as a joint or a concurrent resolution. I intend, after it is passed upon, to present a title to the resolution for consideration.

Mr. FALL. Mr. President, the Senator from Colorado [Mr. THOMAS] has said that his desire was to have the resolution passed. Of course, I can understand that, or he would not have introduced it; but I must say that I can see no necessity for it.

We are all here sworn to support the Constitution and laws of the United States. We are a distinct department of the Government of the United States. It is the duty of the administration to execute the laws and the Constitution of the United States, and, of course, it is our duty to sustain them in the execution of such laws. Unless something has occurred here in this body recently, they should not need any assurance of the fact that the Congress of the United States will stand by the laws and the Constitution of the United States. That should go without saying, or else the Congress of the United States should be dissolved by the council of the league of nations or some other power or authority. So long as we are here, we are supposed to be engaged in lending our support.

If the purpose is to give notice to those who are seeking to interfere with the due process of the law in the United States, if that is the purpose of the joint resolution, then it is directed to the wrong parties. It should give the notice directly to the United Mine Workers of America and others that the Congress of the United States agrees with and will support the administration in the administration of all the laws of the United States. How it can be necessary, however, to give such notice to those who are proposing to violate, if anybody is proposing to violate, the law, or under what theory it may be necessary to give the administration the assurance that the Congress of the United States will stand with the administration and uphold their hands in the performance of their duties under the Constitution and the laws, I do not know.

I must say that it seems to me entirely unnecessary—unless, as I say, by virtue of the recent occurrences here in the Senate, such reassurance is necessary—to utter a word upon the subject. Unless some one is convinced—as I may say that while not yet convinced I have been somewhat led to think recently—that occurrences here in the Senate would tend to merge the bars upon that flag into the red flag of socialism, and to dim the stars upon it; unless something of that kind has occurred which renders it necessary for us to give a reassurance of our adherence to the Constitution and to the laws of the United States, I shall vote against the joint resolution.

Mr. TOWNSEND. Mr. President, I think I understand the purpose of the Senator from Colorado in introducing this resolution. That there is a serious menace now confronting the United States, no man in this body or in the United States doubts. People have been calling upon us for protection—I assume they have been calling upon you the same as they have upon me—to pass some kind of legislation to safeguard the general welfare. We have assumed that there was sufficient law to deal with its infractions. Now, I think that inasmuch as the question is up the least the Senate can do under the present situation is to express its approval of what the President stated

and what we understood him to say the other day, namely, that he was going to enforce the law against its violators, and we all know what he had in mind.

So far as I am concerned, I am very desirous of going on record in favor of this declaration as incorporated in the resolution introduced by the Senator from Colorado, and I do not care to haggle over the verbiage of it, either. I want to go on record as favoring law enforcement, and serving notice not only upon the administration but upon all law breakers of the country that we propose, as far as we can, to encourage all proper means and methods for enforcing the law and protecting the rights and welfare of the people.

Mr. BRANDEGEE obtained the floor.

Mr. FRANCE. Mr. President, will the Senator yield to me one moment?

Mr. BRANDEGEE. I yield; certainly.

Mr. FRANCE. I desire to ask the Senator from Michigan if it has not been hitherto considered safe for the Congress to assume that the executive department would carry out the statutes which are enacted by this body?

I am not a lawyer, but I have labored under the impression that our business was to enact statutes and that the executive department was charged with the duty of enforcing them. I must admit that during the course of the war the Government seems to have been subverted. It has seemed to me to have become the practice for the Executive to interfere with the legislative business in the way of dictating, in a sense at least, or at least by strongly advising, legislative measures. I am under the impression that our Government will operate more efficiently in the performance of all of its functions if we adhere to the doctrines of the fathers that the legislation should arise from the people, should be enacted by the legislative body, and enforced by the Executive. I should like, personally, to know the object of this measure, and if there is any evidence that the executive department is unable, for any particular reason, to execute the statutes which have been enacted?

Mr. TOWNSEND. Is that a question?

Mr. FRANCE. Yes. I desire to ask the Senator that question, as to whether there is any evidence of any breakdown in the executive department which would indicate the necessity of the legislative department assuming to direct or support or help in any extraconstitutional way the executive department to take proper action?

Mr. TOWNSEND. Mr. President, I do not care to discuss at this time the question as to whether one department of the Government has infringed upon another or not. The passage of this resolution will not invade executive prerogatives. I confess that I have some serious doubts as to whether there is sufficient law at the present time to govern and control a situation such as impends, but I have been unable to prepare a remedial statute. I know of no proposition prepared by any other Senator. I am not in favor of unconstitutional means being employed. There must be some lawful way to protect the people. I remember, however, a few years ago, when this country was confronted with a similar disturbance, that when President Roosevelt appointed a commission to determine the facts and settle the strike, he was charged with having acted without authority of law. Anyway, he acted and the country approved, for that commission was potential in settling the disturbance.

I am not advising the President or instructing him to enforce the law. He has made a statement, if the papers published it correctly, which met with my approval, and I want the country to know that the United States Senate is in sympathy with that proposition. I would like to inform the President that if existing law is not adequate he can secure additional legislation when he shows its need. If it were proposed to pass a law now, we could express our ideas through that law; but no Senator proposes such a remedy at this time. Many think that existing law is sufficient. The President has said that he was going to enforce the statutes, and I want to believe him; and I want to approve now, and especially since this resolution has been presented to the Senate, the course he has said he would take. If you vote it down now, you say to the country that the Senate is not in sympathy with the proposition of law enforcement. There might have been some argument as to the propriety of introducing the resolution, but it is here, and being here I want to vote to approve its sentiment.

Mr. BRANDEGEE. Mr. President, I am very glad I yielded, because the Senator from Michigan [Mr. TOWNSEND] has almost completely expressed my views upon this question.

However, without criticizing at all the action of the Senator from Colorado [Mr. THOMAS], which is usually very wise and always well-intended, I want to say that I do not think it was really necessary to introduce this resolution, because it is a

resolution expressive of confidence and of assurance of support in the administration to see that the Constitution and laws of this country are enforced. Every Senator takes an oath to that effect every time he is elected to the Senate, and really I do not think it is necessary to renew the oath every few days, and I do not think it gives any additional sanctity to the oath to adopt a resolution stating that we are still of the same opinion. Of course, every Senator is going to enforce the laws and the Constitution and uphold the hands of those whose duty it is to do so outside of this Chamber. Although I agree with the Senator from Michigan and I do not think it was necessary to ask us to redeclare our allegiance to a Government of law and order, now that the resolution is here it ought to be passed, in my opinion.

When the question comes up whether we are in favor of law and order or not, I think we had better vote, even if it is a work of supererogation, that we are in favor of law and order, if anybody doubts it; and that is what this resolution calls on us to do. I am in favor of the resolution as it has been amended, and I think it would be a mistake for the Senate as a body to vote it down now, irrespective of the action of individual Members of the Senate, although I appreciate the theory upon which some Senators may think that they ought to vote against it.

Mr. POMERENE. Mr. President, I had concluded not to speak upon this subject, and would not except for the issue that has been raised between the Senator from Michigan [Mr. TOWNSEND] and the Senator from Maryland [Mr. FRANCE]. Personally I have no doubt about the law being sufficient to handle this situation, and I shall be only too happy if the Attorney General carries out his statement that he intends to enforce the law; and knowing the Attorney General as I do know him, I believe that he will enforce the law. I am satisfied that these men who are bringing on this strike can be punished criminally under the conspiracy statutes. They can be punished under section 9 of the Lever bill. The Government under the broad equity powers which our courts have can reach this situation.

Bear in mind, please, that the situation is very different from what it has been in the past, in this, that the railroads, for instance, are now under the control of the Government. They are a Government agency. It is the duty of the Government to see that our people can perform their ordinary duties and be protected in them. The situation is not very different from what it was at the time of the great strike in Chicago, except that the Government has more power now to deal with the strike than it did have then. I just want to read one paragraph from the decision of the Supreme Court in re Debs, in One hundred and fifty-eighth United States, page 582. After reviewing the decisions of the courts, Mr. Justice Brewer said:

It is obvious from these decisions that while it is not the province of the Government to interfere in any mere matter of private controversy between individuals, or to use its great powers to enforce the rights of one against another, yet, whenever the wrongs complained of are such as affect the public at large, and are in respect of matters which by the Constitution are intrusted to the care of the Nation, and concerning which the Nation owes the duty to all the citizens of securing to them their common rights, then the mere fact that the Government has no pecuniary interest in the controversy is not sufficient to exclude it from the courts or prevent it from taking measures therein to fully discharge those constitutional duties.

The Government now has a pecuniary interest in these railroads. It is our business to operate them for the common good of our people and to see to it that the people do not freeze. There can be no question about it, and, as it seems to me now, the issue is this, Shall the Government control Lewis or shall Lewis control the Government? I am for the Government on that issue. Every vote against this resolution, in my humble judgment, is a vote that will have the effect, whatever the purpose, of encouraging the present strike.

Mr. LODGE. Mr. President, I shall detain the Senate but a moment. I am entirely willing to admit that this is simply a reiteration of our duty, which we would perform, I hope and trust, in any event, under our oath. I am quite ready to admit that it is a matter of sentiment. But men are largely governed by sentiment, and I think this is a very appropriate moment to say that the Congress of the United States is prepared to stand behind the administration in the enforcement of the law. I hope they would do it, anyway, but I think it is a good time to just say that, and say it over to the people of the United States.

Mr. BORAH. Mr. President, in voting for this resolution I do not want it to be understood that I am accepting the construction which seems to be placed upon it by some of those who are advocating it. In voting for the resolution I do not determine by any means that it is a fight between Lewis and the Government. The evidence might show it to be a fight between the operators and the Government. I do not know yet what the facts are sufficiently to say that it is a question of whether Lewis will run the Government or the Government will run Lewis. I am simply

voting for the resolution because I believe in enforcing the law and maintaining order, regardless of whether it affects Lewis or affects the operators. That is as far as I want to be understood as going in voting for this resolution. I shall not prejudice the miners, but I shall always avow maintenance of law and order regardless of classes or interests.

Mr. WILLIAMS. Mr. President, laying all legal technicalities and all mere verbalities aside, the American people are faced at this moment with this situation: That owing to a controversy between the coal miners and the coal operators there is a threat to freeze to death the American fathers and mothers and children. That constitutes a conspiracy to commit murder. That is a very grave statement to make, but it is none the less the truth. All men are responsible for the natural and probable results of their acts, individual or collective. The fact that November 1 was fixed as the date for its inception clinches the statement which I have just made. From April to April has hitherto been the coal-working contract year. November 1 is about the day on which even in the middle South fires must begin to burn to warm the family for the wintertime. One of the suspicious things about this is that not only are increased wages and shortened hours demanded but the date of expiration of contracts between the workers and the owners of the mines is sought to be changed from April 1, when the people, the public, have a chance, to November 1, when the people have no chance.

Mr. President, we are called upon, regardless of the merits of the controversy between these people, owners and employees, to submit to being frozen to death during the approaching winter; not exactly all of us, but most of us. The threat does not go to Mississippi, remember; I am not speaking for Mississippi. Mississippi has plenty of wood to burn, and Mississippi can get along without a pound of coal, except for her factories and railroads. Her factories, of course, would have to close down. Even the railroads would have to stop transportation, because they could not readjust locomotives to wood burning quickly. But the little children in the house could be kept warm. But what are you going to do with the great Middle West, the prairie States, that never had wood enough, even in pioneer times, but had to import coal or wood, one or the other, from some other part of the country, in order to keep the fires burning to keep the children alive.

Mr. President, I do not care what the purposes of these men were; I am not questioning their motives. I am simply dealing with the consequences and effects of their action. If a successful strike to cut off the production of bituminous coal could go into operation upon November 1 and continue in operation until the men engaged in it had overpowered the Government of the people, and then the people themselves, no tongue, much less a tongue as weak as mine, could describe the suffering that would take place in what used to be called the prairie States.

Not only that, Mr. President, but since that time the forests have been cleared in the old forest States. They have not wood enough to keep the people alive, even if they could get the wood to the firesides and adjust them to its burning. Not only that, but the factories would have to close down. Not only that, but the railroads would have to close down, and transportation would be cut off. We would not only be reduced to the old stagecoach period, but we would be in a worse condition, because we would not have any stagecoaches ready.

Mr. President, there is a higher thing in the United States than either capital or labor, than either employers or employees, in industrial pursuits, in transportation, or in coal mining. There is a thing of more importance than both of them put together, not only of more importance but outnumbering them in manifold measure, and that is the common weal, which, when in its aggregate form, we call the Commonwealth of the United States—the general public.

Mr. President, the administration has announced its determination to execute the laws regardless of fear or favor, regardless of capital or labor, regardless of capitalists or operatives, and a resolution coming from the legislative branch of the Government merely expressing its sympathy and its desire to cooperate with the Executive in that great work certainly can not do any harm. I differ with the Senator from Connecticut [Mr. BRANDEGEE] when he says that he has some doubt as to whether it ought to have been introduced. I think it ought to have been introduced. I wish I had thought of it myself. If I had, I would have introduced it.

It is time that the great American public was expressing itself, the great middle classes. It is not only well that the President of the United States issued his late letter, it is not only well that the Attorney General has issued his opinion, but it would be well that the legislative branch, the Congress, should issue its opinion, declare its purpose, if for no other reason than simply for the moral weight accompanying it and

for the sake of the reinforcement given to the executive branch of the Government.

I want to go one step further. I not only want to see the legislative branch of the United States Government back up, bolster up, and encourage and add its moral weight to the action of the executive branch of the Government, but I want to see the people do something. Well, you say, what can the people do? I say that they can do this, and I ask attention to it: The doctor, the lawyer, the groceryman, the man who keeps the tailor shops and the clothing stores in the country, the druggist, the school-teacher—everybody not connected with either one of these two mad adversaries, who would endanger civilization in their quarrel, across the lines of which lies the interest of the public—have something to say, or, at any rate, if they are men and women of the right type, ought to have something to say. I would advise them in every locality where this strike takes place to meet in solemn assembly, as our forefathers met before and during the Revolution, and to pass resolutions that they will sell no food, no clothing, no shoes, that they will furnish no drugs, to either capitalists or laboring men who do not agree to leave the controversy between them to arbitration, and fair arbitration at that, unless they submit to an industrial peace league, if you please; a people's boycott, you may call it, if you will, should follow.

There are times when governmental action does not answer every purpose, because the man against whom the issue is decided says, "It was the Government; you had to call the Government in in order to put me down." Let us put them both down. Neither of them is altogether right. Let not the law alone do it—the administrative and the Executive—but let the people form unions of their own, if you choose to call them so, make a strike of their own, if you choose to call it so, and let them agree to furnish neither food nor clothing nor drugs nor doctors' service nor legal service nor anything else to either of the mad parties to this blind controversy, who are threatening civilization and the other institutions of the United States, until they quit it; and the time for knowing when they have quit it will be when they agree to leave to fair arbitration the questions in controversy between them, going on with the work of mining and transporting coal in the meantime, while the arbitrators, representing the public, are hearing and deciding.

I do not believe the miners have been solely at fault. I have a notion that when they entered into the original contract and said it would last until the end of the war, both sides probably meant until the end of the fighting, not thinking about the technicalities of it. But whatever may be involved upon the merits of the question, let the people in every locality absolutely refuse to feed or clothe or doctor or legally advise or furnish medicine to those engaged on either side in this conspiracy to murder the people by freezing them into submission. Let the public strike just a little bit just now—not strike by its own initiative by refusing public service to the Republic, not strike by freezing, but simply by saying, "In our opinion, when you threaten to freeze the American people you become, regardless of law, regardless of the war, regardless of disease, regardless of all merely technical things, criminals in the eyes of God and of men, and especially in the eyes of God."

I wish to God that I had the voice, the influence, the character, the standing that could arouse the great American public to the importance of this trouble, not only in itself but as it applies to the future. No man with common sense denies the right of any man to quit work. No man with any spirit of modern progress in him denies the right of any set of men to strike. But there are limitations to every right. I have the right to do what I choose, provided I do not injure you in doing it. These people have the right to their miserable quarrel—and, by the way, it has ceased to be a quarrel between them; it is now a quarrel between both of them on the one side and the public on the other side. They both have the right to fight like Kilkenny cats, "cats which in Kilkenny fought until of cats there weren't any," but they have no right to fight until there are none of us left.

I am not speaking for my own people nor for myself. I can go down to the plantation and burn wood, and all the balance of my people can do likewise. They can not hurt us in our homes. But, Mr. President, think a moment! New York, Philadelphia, Chicago, Cleveland, Baltimore, and the great cities of this country depending from day to day, among the poorer classes, upon a bushel or 5 bushels of coal to keep themselves warm! The cause of labor is a great cause; there is no doubt about that. God knows I sympathize with the under dog all the time. I resolve every doubt in his favor, but the cause of human lives, of women, and little children is a greater cause than all the causes and quarrels between capital and the greatest proletariat that have ever happened since the beginning of the world.

I had the honor some time ago to say upon the floor of the Senate that the time had come when the public must take charge. I want to say that the time is rapidly approaching when there must be an industrial league of peace and when men shall not be permitted to take their quarrels into their own hands in connection with these great controversies which affect the health and life of the public, but both sides in such cases should be forced to submit to some form of fair arbitration, where common sense and common justice and peace and mercy under the agencies of God shall prevail.

Mr. President, draw three pictures for yourself, if you please. The fat old capitalists gathered around the table saying, "Well, let them strike and go to the devil; they can not hurt us." Labor agitators, for the most part hyphenates or aliens of one sort and another, gathered in another place, saying, "We have the whip hand and we can starve the American people to death in a month if we begin on the 1st of November and stand by one another." Then look at the third picture—the seamstress in her little apartment, the shoemaker and his wife and children, the brick mason and his people, the dry goods clerk wherever he happens to live. Look at these two people striking at one another, the two of them masters of the industry, the capitalist able to get his coal and the miner able to get his coal, by agreement more or less subterranean, and these other people whom I have described—the innocent bystander—shivering, while the mother piles upon the children all the blankets and all the extra clothing that she can get, while she herself goes cold.

Mr. President, this war has brought upon the world a new era in a great many respects. The old relationship between capital and labor must be readjusted. The old way of settling these things can not continue. In justice to labor it can not continue; in justice to the public it can not continue; and, taking it at a far-flung battle-line distance, in justice to capital, it can not continue. But, notwithstanding that fact, the readjustment must be made sensibly and slowly and gradually and commonsensically, if I may frame that adverb.

The American people, whatever else may happen, are not going to adopt soviet government; I do not believe they are going to nationalization of raw materials and of the necessities of life, though that may some day happen; but certainly they are not going to government by class.

In Russia there were two parties—the Bolsheviks and the Mensheviks, as they call them. One—the Mensheviks—stood for all the people; that is, a majority of all the people of all classes; the other stood for a class. Mr. President, speaking for myself and, as I earnestly believe, for the American people, I will no more submit to the rule of the proletariat as a class than I will submit to the rule of soldiers or sailors as a class; I would no more submit to either than I would submit to the rule of lawyers or doctors or livery-stable keepers, respectively, as a class.

The whole theory of Anglo-Saxon civilization, beginning away back yonder in Great Britain, carried by every Englishman wherever he went, to every part of the world, is the theory of the government of the people, under representative institutions, more or less limiting that government. So far as the removal of limitations is concerned, let the good work go on; but let there be no interference with the great fundamental principle that it must be a rule of the majority, and a majority constituted of all classes, from the man who fills the pulpit on Sunday down to the man who cleans out the sewers on Tuesday. That is the Anglo-Saxon and British theory that has accompanied the race around the world and that finds its home now not only in the old country but in Canada, in Australia, New Zealand, and South Africa, and supremely and at its best, perhaps, herein America, amongst the children of the English-speaking race which rebelled and taught the father or this household that he must respect the rights of his children.

My call would be upon the people everywhere to help the Executive and to help the legislative; to have public meetings and denounce both sides of this controversy, saying, "If you do not by a certain date"—say the 10th of November—"agree to arbitrate the controversies between you"—meantime going on with coal mining—"you shall have no food; you shall have no clothing; you yourselves shall have no fuel; we will take what you have selfishly provided against us and for yourselves; you shall have no medical attention; you shall have nothing except the services of the undertaker, if you happen to die or the services of the priest while you are dying, if you believe in the need of absolution."

Mr. THOMAS. Mr. President, I ask unanimous consent to change this resolution from a joint resolution to a concurrent resolution. I think that can be done under the provisions of Rule XXI.

Mr. FLETCHER. I have no objection to that. I think the Senator is doing precisely the right thing, but Rule XXI provides that—

Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays.

It is, therefore, not necessary for the Senator to ask unanimous consent, for, as the mover of the resolution, he has the right to modify it.

Mr. LODGE. Not after the resolution has been amended.

Mr. FLETCHER. But the resolution has not been amended.

Mr. LODGE. It has been amended.

Mr. FLETCHER. Even so, I think the mover may modify it.

Mr. LODGE. If the Senator will look at the rule he will find that under the rule the right of modification is prior to any action on a bill or resolution.

The PRESIDING OFFICER (Mr. KING in the chair). The Senator from Colorado asks unanimous consent that the resolution be changed to a concurrent resolution. Is there any objection to the change suggested by the Senator from Colorado? The Chair hears none, and the resolution is changed accordingly.

Mr. THOMAS. I now move to insert as the title of the resolution:

Concurrent resolution assuring the administration of the support of the Congress in dealing with the impending strike.

I have submitted the changed title to the Senator from Idaho [Mr. BORAH] and it has received his consent.

Mr. LODGE. That modification, of course, properly should come after action on the resolution, but by unanimous consent it can be made now.

The PRESIDING OFFICER. Does the Senator from Colorado ask unanimous consent for the consideration of his amendment now?

Mr. THOMAS. Yes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado? The Chair hears none, and the title of the resolution is amended as suggested by the Senator from Colorado.

Mr. FRANCE. Mr. President, I do not wish to prolong a futile debate on what appears to me to be a perfectly useless measure. I am not one of those who believe that the executive departments have so completely broken down that they need to be assured of the support of the legislative branch of this Government at this time by any such measure as this. I must confess that there are many evidences that the executive department has lamentably failed during the recent months to meet the responsibilities which have been placed upon it; but I am not prepared to go so far as to say that it is so disorganized and demoralized as to be in need at the present time of any such support as this which we are offering in a resolution, which proposes no legislative remedy, and which, apparently, if I may judge by this debate, has been drawn and supported by Senators who, because of their many other duties, are absolutely unaware of any of the conditions which have brought about this most unfortunate situation.

It is always very easy when an emergency such as this arises to intensify the misconception and the misunderstanding by abusing the other fellow. For myself I must say that I think an emergency has arisen in this country which can not be met by an antagonistic spirit, by condemning the other man. The time has come when every man must look to his own conduct and to his own responsibility to see whether he may possibly be in part responsible for the situation which has been created.

It is very easy to blame the leaders of the miners; it is very easy to condemn the industrious and courageous miners working deep beneath the surface of the earth, and to say that they are responsible for bringing about an intolerable situation. It is very easy for us to assume that we have within our breasts more of the milk of human kindness and that we have more sympathy for the children who may suffer from lack of fuel than have the miners themselves, who, sirs, have frequently experienced in their own homes the suffering which comes from poverty. The situation has not been created entirely by the miners. It has been created by lack of administrative capacity on the part of certain agencies of the Government. I am not prepared to say that the miners are without blame; I am sure that the operators are not without blame, and I know that the Government is far from being blameless in the causing of this situation.

Now, I wish to introduce—and I said I would speak only briefly—portions of three letters simply to illustrate how these great controversies arise and how they may be the result of a lack of cooperation between the various interests concerned. There has been here a lack of cooperation between the operators, the Government, and the miners.

First, I introduce a letter written July 12—which, mind you, was long before there was any talk of a coal strike—from the secretary of one of the trade-union councils of my State:

ALLEGANY TRADES COUNCIL OF ALLEGANY COUNTY, MD.,
Cumberland, Md., July 12, 1919.

To the CONGRESSMEN AND SENATORS
FROM THE GREAT STATE OF MARYLAND.

DEAR SIRS: It has been published in the newspapers about the coal shortage this winter.

I beg to inform you that if there is any coal shortage and suffering it will be up to the coal barons, as at present the Georges Creek region is not working more than 20 per cent of the miners in this region, and then on short time.

The coal barons blame the slump on the miners for digging dirty coal. I wish to inform you that the law of this State gives the mining company the privilege of cutting 500 pounds of coal off of every car the miners send out of the mine if the coal is dirty, with a company man as judge.

The Hunkin-Conkin Construction Co. is trying to get a work train on the Cumberland & Pennsylvania Railroad to bring those miners to this city to work on the Kelley Springfield Tire Co. plant as laborers, at 35 cents per hour, and then they say a coal shortage. Why?

Hoping you will give this your kind attention.

I remain, yours,

[SEAL]

(Signed)

JOHN O. FISHER, Secretary,
64 South Mechanics Street.

Mr. President, the miners sincerely believe that the operators, or, as they call them, the "coal barons," are responsible. Let me read next an extract from a letter from one of the operators, a very prominent and a truly patriotic man, as sincere and as good a man, I believe, as the miner who wrote the other letter; and that is complimenting the operator, because I know of the miner, and I know the kind of a man he is:

The writer is general manager of two companies operating in Maryland, the — Co. and the — Co., and one company operating in Somerset County, Pa., the — Co., and I wish to state to you herewith the true condition of our car supply from July 1 to August 15, inclusive.

The — Co. during the month of July, out of a total of 208 working hours, had a car supply for 144 hours' work—lost 64 hours on account of having no cars. The same company, from August 1 to 15, inclusive, out of a total of 104 working hours, had cars to operate only 43 hours; lost 2 hours on account of wreck and lost 59 hours account of no cars.

The — Co. during the month of July had a total of 208 working hours, had a car supply to operate only 95 hours, and lost 113 hours on account of no car supply. The same company, from August 1 to 15, inclusive, with a total of 104 working hours, had a car supply to work only 31 hours; lost 73 hours account no cars.

The — Co. during the month of July, out of a total of 208 working hours, had a car supply for 106 hours, and lost 102 hours account no cars. The same company, from August 1 to 15, inclusive, out of a total of 104 hours, received cars enough to work only 33½ hours; lost 3 hours account of wreck and lost 62½ hours account no cars.

I ask permission to insert in the RECORD, without reading, other paragraphs from this letter.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

You will note from the above statement that July 1 to August 15, inclusive, the — Co. had railroad cars to work 187 hours and lost during the same period 123 hours account of not having railroad cars, or worked 60 per cent of the time and lost 40 per cent account no railroad cars. This company has a present car rating of 235 net tons per day.

The — Co., from July 1 to August 15, inclusive, had railroad cars sufficient to operate 126 hours and lost 186 hours account not having railroad cars, or worked approximately 40 per cent time and lost approximately 60 per cent time account railroad car shortage. This company has a present car rating of 220 net tons per day.

The — Co., from July 1 to August 15, inclusive, had railroad cars sufficient to work 144½ hours and lost 164½ hours account not having railroad cars, or worked approximately 46 per cent of the time and lost approximately 54 per cent of the time account shortage of railroad cars. This company has a present car rating of 280 net tons per day.

As the rules of the United States Railroad Administration, car-service section, their Circular CS31, require that all coal cars be distributed equally on a percentage basis among all operators in the various districts, and if these rules are being carried out, the experiences of the above-mentioned companies necessarily represents the true performance of all coal companies in these two producing districts—that is, the Somerset district of Pennsylvania and the Georges Creek district of Maryland—and in view of the above-mentioned experiences, and in further view of the fact that the United States Railroad Administration require every coal company to furnish them a statement each day of the total number of cars received, the number of hours worked each day, and the number of hours lost each day, with the reason therefor, of which the statements made above are a résumé, Mr. Hines necessarily has at his disposal every day the true conditions of the car situation; and it is beyond the comprehension of any fair-minded person how Director General Hines could make the statement to the Senate committee or to the public in general that there is no serious car shortage, when the true condition has been, at least, a 50 per cent car shortage for the past six weeks; and I sincerely trust that you will convey this information to the Hon. Senator POMERENE, and, if possible, have Mr. Hines advise why our mines are idle approximately 50 per cent of the time when we are making requisitions for cars every day and do not receive the cars and are advised by the railroad officials that we do not receive the cars because they do not have them to distribute.

Certainly if Mr. Hines is sincere in his statement to Senator POMERENE and the Senate committee that there is no car shortage, then we would like to know why we are not being furnished cars sufficient to operate our mines every workday.

Mr. FRANCE. These extracts show that the mines in that region were unable to operate owing to a shortage of cars. Whose fault was that? Was that the fault of the man who got up in the early morning or in the middle of the night, perhaps, to go to the Maryland mine to work in the dark damp of the mine? He wanted to work. There was no Bolshevism in him when he put on his mining suit and put his lamp on his head and got ready to go down in the mine and do an honest day's coal digging. He was estopped because of the incompetence of a Railroad Administration which had not furnished the cars; yet we sit here in Washington and accuse the miners, because now they are discontented, of Bolshevism, and pride ourselves, sir, that our patriotism and our love of country is greater than theirs. Some of us are tempted to do that, if I may judge by this debate.

Now, let us see what the Railroad Administration says. The Senator from Ohio and myself, both being interested in the miners, took up this matter with the Railroad Administration. Shall we unqualifiedly condemn them? The Railroad Administration wrote me this letter:

UNITED STATES RAILROAD ADMINISTRATION,
Washington, August 23, 1919.

MY DEAR SENATOR: Replying to your favor of the 18th instant with reference to shortage of coal cars, particularly in the Allegany County coal region of Maryland.

The increased demand for coal started about the middle of July, and necessary arrangements were made to take care of same, both in the matter of allotment of new equipment and operating arrangements for repairs to bad-order coal cars and distribution to the various roads to meet their requirements.

Just about the time this increased demand started in we had intermittent shop craft trouble, and this finally culminated in a somewhat general strike of these men, which seriously interfered with the car-repair program and tied up the operation of some mines badly, preventing the usual circulation of empty cars to the mining regions. The Baltimore & Ohio road, which distributes the cars to the region referred to in your letter, was likewise affected. The cars referred to as standing around were some 500 bad orders which had accumulated during the shop trouble.

There has been considerable improvement in the car supply on this road during the past 10 days, which we expect will be continued.

Yours, truly,

(Signed)

WALKER D. HINES.

Hon. JOSEPH I. FRANCE,

United States Senate, Washington, D. C.

Well, now, who is to blame? We do not know the causes which led to that shop trouble, which led to the accumulation of cars out of repair, which led to the cars not going to the mines, which led to the miners not having cars to fill, which compelled the operators to close the mines.

I only present these facts to show you that this coal miners' strike raises a complicated question, and that Government officials may be to blame as much as the men may be at fault who are working in the mines, if they are at fault, which I am not prepared to admit.

I do know that so far as Maryland is concerned the miners have testified that they have not been able to work, and the operators confess that they have been compelled to reduce the working hours because of the shortage of cars. We do know that a governmental agency is at fault for some of the difficulty. I do not say that the closing down of certain of the mines during the months of July and August for so considerable a period had anything to do with the general coal strike; but I do say that it is time for us to examine into all aspects of this question before seeming to take sides in such a way as would tend to cause one class of our citizens to feel that they were being unjustly discriminated against, or that their case was being prejudged.

I do not wish the Congress ever to do anything which will intensify the widespread and ever wider-spreading conviction that in some way the Government does not represent the people. We observe on every hand evidences of profound unrest, and I believe that the profound unrest which we observe has a deeper underlying cause, and I believe that cause is one for which we ourselves are responsible. I believe it is this: If I understand the theory of our Government properly, it is a Government founded upon the theory that the people themselves are sovereign, upon the theory that legislation should arise from the people, that the popular will should be expressed to representatives in the legislative bodies, and that those representatives should enact the popular will into statutes and then that it is the duty of the Executive department—the chief duty, perhaps the sole duty—to see that those statutes are executed in a broad and comprehensive manner.

If that is the theory of our Government, we must all admit that during the period of the war our Government has been practically subverted. The legislation, instead of originating with the people, instead of being enacted by the legislators as a result of a popular mandate, has originated with the Executive and has descended to the legislative, and by the legislative body it has been imposed upon the masses of the people. That, I

think, is a clear subversion of the whole theory of our Government; and it is, I believe, as a result of such subversion of the Republic, as a result, so to speak, of attempting to stand the pyramid upon its apex, that this profound unrest has taken place. The people feel that the Government is not responsive to their needs and to their wish.

I know that perhaps this seems somewhat academic, but I think it touches a very real and vital question; and, so far as I am concerned, the sooner the condition is cured, the better I shall be satisfied.

Lincoln said: "The people of these United States are the rightful masters of both Congresses and courts; not to overthrow the Constitution, but to overthrow the men who pervert the Constitution"; and, so far as I am concerned, the sooner the American people rise in support of the great Constitution, and the sooner they overthrow the men who have perverted it, the better I shall be satisfied, because I realize that standing upon the broad principles of that Constitution we have a government which is permanent and rational, and which always will be responsive to the popular will.

We must very shortly, sirs, give up government by intimidation, government by repression, and restore government by the people, government by discussion; and there can be no government by discussion until every statute is removed which prevents free and fearless discussion.

I am not opposing this resolution; but I do wish to say that I consider it utterly useless, and I do wish to say that it is not fair that the case of the miners should be prejudged until all of the factors have been carefully considered which have brought about this great and serious difficulty. Certainly I have already indicated to you that one of the great governmental agencies—the Railroad Administration—created by our act has in part broken down. Personally, I think that act was unwise. Personally, I think it was a colossal blunder to turn the railroads over to the Government for administration and operation; but if it was a blunder that blunder has been committed. Certainly, so far as the supply of coal cars to the mines is concerned, the administration has failed. Whether all of the failure can be attributed to the strike in the car shops, to which reference was made, I do not know; but the strike in the car shops has not been examined into, and it might have been founded upon most excellent reasons.

So, therefore, the whole question should not be prejudged; for I feel that we can get better results from letting the miners, from letting the operators, from letting all of the Government officials concerned in connection with this situation know that we are disposed as a legislative body to do everything we can to see that all of them are given fair consideration when they come before the bar of public opinion to present their case.

Personally—be it radical or not, I do not know—I have shared the view that there might some time come a happy period in the history of men's affairs when he who did the most dangerous and burdensome work for the community would be among the best paid and would work the shorter hours.

If it is a fair day's work for the intellectual worker, employed at tasks congenial to him, to continue at those tasks for 12 hours in a comfortable office, surrounded by his books and his secretaries, certainly a five or six hour day to the man who goes into the damps and dangers of the earth to work constantly at the hazard of his life does not seem to be too much in the way of generosity.

I am in favor, as a medical man, of a short day for the miner, and I believe that the interests of the community at large would be subserved by a recognition of the fact that no man can continuously mine coal for any great number of years without sacrificing much of his health, if not his life, as a result of engaging in that occupation. The miner's working life is a short one, comparatively, and the character of the work must be taken into consideration when we are discussing the subject of hours and pay.

I am not attempting to discuss this question in any large way, but I do feel that before this resolution passes the miners should be assured that we do not call them pariahs, that we do not prejudge their case, that we do not impugn their patriotism. I feel that we should clearly announce that this resolution does not mean that.

I need not say these words for the Maryland miners. They know my attitude toward them. They know that I will stand here, or in any legislative body in which I have the honor to be, and contend for a fair deal for the miners and for a fair consideration of their claims. I did feel that before this resolution passed something should be written into it as an evidence that this is not a simple controversy between a trade-union leader and the Government, but that it is a great prob-

lem, to be met in a broad spirit, a great difficulty to be removed, not by repressive but by constructive, upbuilding methods, based on a true knowledge of conditions.

Mr. LA FOLLETTE. Mr. President, I offer the amendment which I send to the desk, to come in at the end of the resolution as printed, on line 10.

The PRESIDING OFFICER. The Senator from Wisconsin offers an amendment, which the Secretary will read.

The SECRETARY. Add, at the end of the concurrent resolution, the following words:

And we hereby assure the coal miners that they will in like manner be protected in the exercise of all lawful means in any effort to secure their rights.

Mr. LA FOLLETTE. On that amendment, Mr. President, I ask for the yeas and nays.

Mr. THOMAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gay	Lenroot	Shields
Ball	Gronna	Lodge	Smith, Ga.
Bankhead	Hale	McKellar	Smith, Md.
Borah	Harris	McNary	Smoot
Brandege	Harrison	Moses	Spencer
Capper	Henderson	Myers	Sterling
Chamberlain	Hitchcock	Nelson	Sutherland
Colt	Johnson, Calif.	New	Swanson
Culberson	Johnson, S. Dak.	Newberry	Thomas
Cummins	Jones, N. Mex.	Norris	Townsend
Curtis	Jones, Wash.	Nugent	Trammell
Dial	Kellogg	Overman	Walsh, Mass.
Dillingham	Kendrick	Owen	Walsh, Mont.
Elkins	Keyes	Page	Warren
Fall	King	Poindexter	Williams
Fernald	Kirby	Ransdell	Wolcott
Fletcher	Knox	Robinson	
France	La Follette	Sheppard	

Mr. SHEPPARD. I desire to announce the absence on official business of the Senator from Rhode Island [Mr. GERRY], the Senator from Oklahoma [Mr. GORE], the Senator from California [Mr. PHELAN], the Senator from Nevada [Mr. PITTMAN], the Senator from North Carolina [Mr. SIMMONS], and the Senator from Arizona [Mr. SMITH].

The PRESIDENT pro tempore. Seventy Senators have answered to their names. There is a quorum present.

Mr. THOMAS. Mr. President, I hope that the amendment offered by the Senator from Wisconsin will be rejected, because I think that if the resolution should pass thus amended it would commit us to an expression of opinion as between contending parties. But I join with the Senator in the request for a yeas-and-nays vote, which I hope will be granted.

Mr. LA FOLLETTE. I ask to have the Secretary report the amendment which I offered.

Mr. KNOX. I would like to have the resolution reported in connection with the amendment, so that we may know how the resolution would read as amended.

The PRESIDENT pro tempore. The Secretary will read the resolution as it has been modified by the Senator from Colorado. Afterwards the Secretary will state the amendment proposed by the Senator from Wisconsin.

The SECRETARY. The concurrent resolution as it now stands reads as follows:

Resolved by the Senate (the House of Representatives concurring), That we hereby give the national administration and all others in authority the assurance of our constant, continuous, and unqualified support in the use of such constitutional and lawful means as may be necessary to meet the great emergency arising out of the impending strike of bituminous coal miners and in vindicating the majesty and power of the Government in enforcing obedience to and respect for the Constitution and the laws and in fully protecting every citizen in the maintenance and exercise of his lawful rights and the observance of his lawful obligations.

The Senator from Wisconsin [Mr. LA FOLLETTE] offers an amendment, as follows:

Add at the end of the concurrent resolution the following words: "And we hereby assure the coal miners that they will in like manner be protected in the exercise of all lawful means in any effort to secure their rights."

Mr. LA FOLLETTE. Upon that, Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HITCHCOCK. Mr. President, I move to amend the amendment of the Senator from Wisconsin by inserting in place of the words "the coal miners" the words "all citizens," and after the word "lawful" to strike out the remainder of the amendment and to insert the word "rights," so that the amendment as amended would read:

And we hereby assure all citizens that they will in like manner be protected in the exercise of all lawful rights.

Mr. TOWNSEND. Mr. President, may I ask the Senator from Nebraska what new thing that adds to the original resolution?

Mr. HITCHCOCK. It is my purpose to avoid singling out any particular class of individuals for a senatorial assurance that they will be protected in their rights.

Mr. TOWNSEND. I agree with the Senator that that should not be done; but I am asking what there is in the original resolution as presented by the Senator from Colorado that does not protect the interests and rights of every citizen in the United States without class distinction?

Mr. HITCHCOCK. I think it does. It is entirely satisfactory to me as proposed by the Senator from Colorado, but I am making this motion to amend the amendment proposed by the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, the resolution was introduced by the Senator from Colorado [Mr. THOMAS] and amended at the suggestion of the Senator from Idaho [Mr. BORAH]. The preamble was stricken out down to the last "whereas" on page 2. A further amendment suggested by the Senator from Idaho comes after the word "support" in line 5:

In the use of such constitutional and lawful means as may seem necessary.

Mr. President, in that form, with the elimination of the preamble, no body of men in this country was designated against whom this resolution could be presumed to be directed. But at the suggestion of the junior Senator from Illinois [Mr. MCCORMICK] the resolution was further amended to designate especially the miners and the impending strike which it is understood has been ordered by that organization. Hence as the resolution stands, now to be voted upon by the Senate, it is plainly directed against the coal miners' organization of this country. I submit that in a measure it prejudices this organization and assumes that it is about to engage in an unlawful act.

Mr. President, up to this hour it is lawful for labor to strike. It is the only weapon that labor has for the betterment of its conditions in dealing with the great organizations of capital which have been permitted to be built up in this country, so powerful that no individual laborer can protect his individual interests for a moment in dealing with it or bargaining with it.

I do not believe that it is just, upon the eve of this strike, by any suggestion that Congress may make, to intimate that unlawful proceedings are to result from it. I am not impressed with the opinion of the Attorney General which has been issued. He has failed to designate any particular statutes or any special laws that are to be violated. I am entirely content that a resolution should pass, if it is deemed necessary by the Senate and by the Congress, pledging support to the enforcement of law and order in this country, but I protest against the passage of a resolution which implies in advance that the proposed strike of the miners is unlawful. We have no right to make that assumption.

I have been a member of this body for some twelve or thirteen years. I do not remember to have heard Senators upon this floor protest against the increase in the price of coal upon the people of the United States. Unlawful organization has advanced the price of anthracite outrageously. When there was no monopoly controlling it the price of anthracite coal at the seaboard was \$2.50 a ton. It is now selling at from \$12 a ton to twenty-odd dollars a ton, depending upon where it is delivered. I have heard no protest from Senators upon this floor against the extortionate prices levied upon the public.

Bituminous coal, when mined under conditions of competition, sold at 70 and 80 and 90 cents a ton at the mouth of the mine, and was delivered at \$1 to \$1.50 per ton to consumers. It is now quoted all over the country at from \$5 to \$9 and \$10 a ton, and even more than that in some localities, and no one has risen here to protest against the action of the mine owners.

But some one will say that these excessive prices for coal result from the increased cost of production due to the high wages paid to labor. Mr. President, this talk about high wages paid to labor is without any just foundation. The actual wages paid to labor in the United States have steadily declined for 20 years. What does it profit the laborer if you give him, as they have given these coal miners, an advance of 30 to 70 per cent in their wages, and then take from them 150 to 200 per cent in an advance in the cost of living? This enormous increase in the cost of living has been brought about through monopoly control of the necessities of life. By that increase in the cost of providing for a family there has been taken away from the workers nearly twice as much in the aggregate as they have been given by the increase of wages.

I have not full information as to the condition of these miners, but I have ascertained, after such limited investigation

as I could make, that they have reached the point where the wages paid to them and the time they are allowed to work will not buy food enough to properly nourish their families.

I do not ask to have their case prejudged in their favor; neither do I think it just to pass this resolution in a form to condemn them in advance of a full hearing and a fair determination of all the facts involved in the controversy between them and the mine owners.

Mr. President, I do not believe that these miners are about to do an unlawful thing. I have never met one of these coal miners; I have never interviewed one of their officers except for a few minutes, when I met the vice president of this national organization in the marble room. I sent for him myself and I put this question to him: "What is it you people complain of?" I would like to know. I have but a moment because of pressing business upon the floor." The answer was this: "Chiefly because we can not get work enough to support our families and feed them and take care of them and shelter them." I have seen none of the other leaders, and I have no more information upon the subject excepting that to be found in the newspapers.

I do not object to the passage of this resolution. I believe in the enforcement of law against mine owners as well as miners.

I want to see this whole subject investigated, all the facts laid before the public, to the end that the public may judge as between the claims of the miners and the mine owners. The men certainly indicated a degree of support to the Government that ought to exempt them from the charge of being lawless. During the war period they were ready to enter into an agreement that should give the Government and the people of the United States an ample coal supply during that period of stress, and they made an agreement that there should be no change in the wages which they were to be paid for labor during the period of the war when it was actually on. They lived up to that agreement until it expired. I suppose when they made that agreement they thought that when the war was over there would be a decline in these excessive prices charged for the necessities of life; but what do they find? They find prices have gone up day by day, month by month, steadily higher and higher and higher, and the Government does nothing effective to stop it. The Government moves slowly, and it moves very cautiously, when it moves against the coal operators and the United States Steel Trust; but it moves summarily when any body of wageworkers in the country are asserting their rights.

Mr. President, I believe that the amendment which I offered should be agreed to. I believe that if the coal miners are named in the body of the resolution the amendment I have offered should be agreed to, assuring to the miners like approval in all of their lawful undertakings to secure justice.

Mr. OWEN. Mr. President, it is perfectly obvious that this resolution is directed to the coal miners. In view of that, I think the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE] ought to stand.

Mr. TOWNSEND. Mr. President, I am not entirely familiar with the changes that were made in the resolution as introduced by the Senator from Colorado [Mr. THOMAS], but as I read the resolution it contains no distinction between classes of our citizens. If some people tremble at any of its provisions it will not be those who are not proposing to break the laws or inflict disaster and destruction upon the country.

That there is an impending danger to the country now threatening which the administration and various committees have sought to moderate and compose, there is no question. I regard the threatened coal strike as a serious matter, if it be carried out as it has been proclaimed it will be carried out, more serious to our people than the late war so far as affecting our institutions and the health, happiness, and welfare of our people are concerned.

The Senator from Wisconsin [Mr. LA FOLLETTE] states that prices of commodities have far outrun wages. I refer the Senator to the Secretary of Labor, who appeared before a subcommittee of the Committee on Interstate Commerce the other day. He said to us that he had made careful figures, closely calculating the cost of everything affecting living, and that labor earnings had more than kept pace with the cost of living; that the miners to-day were better off than they ever were before in the history of this country. He further stated that if we were to assume—and he did assume, and not only assumed but proved—that actual wages had met the increased cost of the actual necessities of life, then, in addition to that, there never was a time when labor was insured such constant employment as it is to-day, and that it never received so much for overtime. Secretary Wilson spoke from the record. He is a union miner; he came to Congress as a union miner; he was put into the Cabinet as a representative of organized labor in this country. He made

these statements to us, and I believed him, because he had taken great pains in collating all the facts that were necessary to establish them.

Mr. President, there is not a man in the Senate who desires to do an injustice to labor or to anybody else; but I submit that the Senate ought to act courageously on this proposition and apply it to all labor and all employers. I am perfectly willing to designate no class, but to make the language so comprehensive as to include every lawbreaker and public enemy. I do not like to designate classes. I think the benefit of the resolution, if it has any benefit in it at all, is to convey to the miners, to the operators, and to the people of the country generally the fact that the United States is in favor of an impartial, complete, and fearless administration of the laws.

Mr. LA FOLLETTE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Wisconsin?

Mr. TOWNSEND. I yield.

Mr. LA FOLLETTE. I am wondering whether the Senator from Michigan was present this morning when the resolution was changed upon the suggestion of the junior Senator from Illinois [Mr. McCORMICK] to specify the coal-miners' strike, writing into the resolution for the first time a pointed designation of a particular class of citizens of this country to which it was directed? If the Senator was here at that time, I did not hear him then protest that all American citizens should be treated alike in the resolution and that nobody should be singled out or designated.

Mr. TOWNSEND. Mr. President, I was not then present.

Mr. LA FOLLETTE. I should like to ask if the Senator would favor striking out the reference to the coal miners?

Mr. TOWNSEND. I would like once more to hear the inserted language. Does the Senator from Wisconsin state the resolution now refers in terms to the coal miners now threatening a general strike?

Mr. LA FOLLETTE. Yes; to a coal strike; it specifies a particular strike. With some hundreds of strikes already on in the United States, it singles out one in particular and directs the resolution against it.

Mr. TOWNSEND. But, Mr. President, the one situation that threatens the country to-day is the coal-miners' strike. That is the one thing that will be on the country day after tomorrow. If the Senate wants to sit here and take no action whatever, express no opinion, it can do so by a majority vote; but, so far as I am concerned, the question now being here, I am in favor of taking cognizance of that fact. If the language of the resolution is offensive to the Senator, I had just as soon the designation should be applied to the danger which threatens us. I take it that is what we are considering.

I do not want this resolution to be construed as referring to the league of nations as the "emergency" matter which is now before us. I myself thought it better, although I was not here when the amendment was made, that we should confine it directly to the subject that we have in mind. I do not want by that to prejudice the miners or the operators. I want it to apply to both with equal impartiality. That is, I want the law enforced equally against both. But this resolution is simply an approval of prompt, efficient enforcement of law to preserve the public welfare. If any class does an unlawful or unconstitutional thing, I want the administration to take prompt action.

I agree with a great many Senators who have criticized this resolution on the ground that we are practically volunteering advice to the administration to do its duty; but, I repeat, the question is now before us and I think we can not back away from it.

Mr. McCORMICK. Mr. President, will the Senator from Michigan yield to me?

Mr. TOWNSEND. I yield.

Mr. McCORMICK. If some other Senator has an amendment to offer in lieu of the one which I have proposed which will serve to particularize the emergency, certainly I shall not stand in the way of the adoption of such an amendment. The preamble, which happily was stricken out, indicated that the resolution was introduced to meet a certain situation. When the preamble was stricken out, I offered an amendment, which, perhaps, might be improved, in order that at some future time the emergency might not be construed as any one of the many emergencies which confront a great Government like ours. Certainly I want order preserved and justice done not merely in this strike but as between any of those contending in the industrial field to-day.

I have not heard the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE], which was read just before I came on the floor, but I assume that it is intended to secure equal justice

and equal protection for all citizens of the United States, no matter who they may be.

Mr. TOWNSEND. If I may interrupt the Senator just a moment—

Mr. McCORMICK. I have concluded.

Mr. TOWNSEND. Suppose we say "to meet the great emergency confronting the industrial life of the Nation to-day." Would that satisfy the Senator from Wisconsin?

Mr. LA FOLLETTE. Yes. I would be inclined to withdraw my amendment if that language were adopted.

Mr. TOWNSEND. That would meet with my approval if it would be satisfactory to other Senators.

Mr. THOMAS. I accept the suggestion.

Mr. McCORMICK. I have no objection to the substitution of those words.

Mr. MYERS. Mr. President, I ask that the resolution be read as it is now pending before the Senate.

The PRESIDENT pro tempore. The Secretary will read the resolution as it has been modified by its author, the Senator from Colorado; it has not been modified by the adoption of any amendment.

The Secretary read as follows:

Whereas the enforcement of the law and the maintenance of order for the security of life and property and the protection of the individual citizen in the exercise of his constitutional rights is the first and paramount duty of the Government and must be at all times vigorously and effectively safeguarded by the use of every means essential to that end: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That we hereby give the national administration and all others in authority the assurance of our constant, continuous, and unqualified support in the use of such constitutional and lawful means as may be necessary to meet the great emergency arising out of the impending strike of bituminous coal miners, and in vindicating the majesty and power of the Government in enforcing obedience to and respect for the Constitution and the laws, and in fully protecting every citizen in the maintenance and exercise of his lawful rights and the observance of his lawful obligations.

Mr. MYERS. I ask that the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] be read. It was offered when I was temporarily out of the Chamber, and, I believe, is the pending amendment.

The PRESIDENT pro tempore. The Secretary will read as requested.

The SECRETARY. At the end of the resolution it is proposed to add the following words:

And we hereby assure the coal miners that they will in like manner be protected in the exercise of all lawful means in any effort to secure their rights.

To which Mr. HITCHCOCK offered an amendment reading:

And we hereby assure all citizens that they will in like manner be protected in the exercise of all lawful rights.

Mr. MYERS. Mr. President, the President of the United States and the Attorney General have said that the strike of the coal miners which has been ordered is unlawful. I agree with them and see no reason why we should be timid about saying so, if that is our sentiment.

The existing contract against which the coal miners propose to strike is a contract for the duration of the war, and the Attorney General of the United States has ruled in a number of instances that the war will not terminate until peace is declared.

I am very heartily in favor of this resolution. I think it time that all branches of the Government determine to enforce law and order in this country and to uphold a stable Government. I think it timely and well that a declaration to that effect be made not only by the President and the Attorney General, who have made it, but by Congress.

For weeks past this country has been on bended knees to organized labor which is striking or threatening to strike; for weeks past the Government has been tearfully and imploringly begging and pleading with the bituminous coal miners please not to strike. "Please do not strike and freeze us to death" has been the attitude of this country for weeks past as a suppliant at the feet of its masters. I think the time for that sort of thing has passed, if it ever existed. We have been endeavoring to confer, compromise, arbitrate, mediate, and conciliate, and all without any effect whatever.

The condition is that about half a million bituminous coal miners, at the highest estimate, have had 109,500,000 people in this country on their knees to them as suppliants, although the majority of these 500,000 bituminous coal miners, if there be that many, are ignorant foreigners, most of them illiterate, unacquainted with our institutions, and having no appreciation of the binding force of obligations and contracts, led by a few designing leaders and agitators who appear to want to plunge the country into industrial trouble and chaos, regardless of the

consequences to the miners or the public or the Government, for some sinister purpose that appears to be behind their motives.

I think we have conferred and attempted to compromise and conciliate and arbitrate and mediate too much already. I think that has gone too far. There has been entirely too much begging and supplicating on behalf of the Government, which represents the 110,000,000 people of this country, to perhaps a half million bituminous coal miners, at the highest estimate, who show no regard for their contracts and apparently no regard for the welfare of the country. According to statements made before the subcommittee of the Senate Committee on Interstate Commerce, of which subcommittee I happen to be a member, which has been investigating the coal situation, the striking bituminous coal miners are now getting an increase of wages of 70 per cent above their prewar wages, and they now come and ask for a further increase of 60 per cent, which would make an increase of 130 per cent above the prewar wages.

Mr. GRONNA. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from North Dakota?

Mr. MYERS. I yield, with pleasure.

Mr. GRONNA. I trust that the Senator will not justify his position by saying that the wages of labor have increased 70 per cent. The Senator from Montana, I am sure, upon reflection will know that the wages of labor must increase in proportion to the increased cost of the articles they buy; and the Senator has very often stated on this floor during this session—and I agree with much of what he said—that the volume of money has increased from \$15,000,000,000 to \$45,000,000,000, or exactly 300 per cent. The deposits of the world have increased from \$27,000,000,000 to \$75,000,000,000. In other words, the cost to the laborer to live has increased 300 per cent; and there is not a Senator on this floor who can justify his position by saying that the wage of labor has increased 70 per cent.

Mr. MYERS. Mr. President, statistics issued by the Department of Labor, which are accepted as accurate and official, and are not unfriendly to labor, show that in the last four or five years the cost of living in this country has nearly doubled; that it has increased about 85 or 90 per cent. I say statements before a subcommittee which has been investigating coal conditions, and of which I happen to be a member, show that the bituminous coal miners are receiving now 70 per cent higher wages than before the war. That is not quite as much as the cost of living has increased in the last four or five years; but they are asking for a further increase of 60 per cent, which would be an increase of 130 per cent over prewar wages, and Government statistics show that the cost of living in this country since prewar times has not increased 130 per cent; it has not increased quite 100 per cent.

Mr. DIAL. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from South Carolina?

Mr. MYERS. I yield, with pleasure.

Mr. DIAL. How many days a week do the miners propose to work and how many hours a day?

Mr. MYERS. I was going to get to that in a minute. There has been no such increase in the cost of living in this country as to justify an increase in wages to the bituminous coal miners of 130 per cent above prewar times. There is nothing to justify it. In addition to that, the miners have arbitrarily made a demand for a six-hour day from bank to bank and five days a week, a 30-hour week. That is in addition to their demand for a 60 per cent increase in wages on top of the 70 per cent increase they are already getting.

Now, is there anybody here who will say that those demands are reasonable demands; that there is anything in the existing condition of affairs that makes those demands reasonable or even decent? I say they are not decent demands, in the face of the conditions that now exist, and coupled with the very plain determination of the miners to take the people of this country by the throat, throttle them, strangle them, freeze, and starve them into submission. I say the demands are unreasonable and indecent, entirely beyond the pale of all reason and decency. No wonder the President says their strike is unjustifiable and unlawful. I for one am tired of seeing 110,000,000 people of this country get down on their hands and knees and crawl to a half million people, a small segment of the population, and tearfully beg at their hands, "Please do not strike and freeze and starve us to death." I agree with the President and the Attorney General that this strike is unlawful and that the time has come to use force. I believe that force should be met with force and that iron should be met with iron. Lawlessness and defiance of authority call for stern measures. There should be no shrinking.

Mr. BORAH. Mr. President, does the Senator understand that the Attorney General and the President have advised force?

Mr. MYERS. I take it from what they have said that they purpose using force if necessary, and so far as lawful. I am for all the force that may be necessary.

Mr. BORAH. If that construction is placed upon this resolution, it will not pass the Senate if I can help it.

Mr. MYERS. The Senator may put his own interpretation upon it. I say the President and the Attorney General have said that this strike is unlawful. In that I agree with them. They have said that all the power of the Government will be brought to bear, so far as they are able, to maintain law and order. If it takes force to do that I am in favor of it, and I suppose they are, too. I am in favor of the use of any lawful power to maintain the dignity and the honor of this country and to maintain law and order and a stable condition of government; and I think the time has come to declare that the law will be enforced, and stable government will be upheld, no matter what it may take to do it. The President and the Attorney General have so declared, and I am with them, and I think it would be quite timely, appropriate, and proper for us to declare that Congress is with them. I believe the people of the country are with them in their declaration. I do not believe the people of the country will supinely be overridden or overawed by a small class of the population, bent upon holding up the country by unreasonable demands or inflicting industrial anarchy. Let Congress do its duty fearlessly and declare to the world its determination to uphold the Government against all assaults.

Mr. TOWNSEND. Mr. President, I ask that the amendment which I proposed, and which I understood was accepted by the Senator from Colorado, may be stated to the Senate.

Mr. THOMAS. Mr. President, as the Chair knows I have been trying all day to secure the passage of this concurrent resolution in some form that will not diminish its force or purpose; and because of that desire I have kept strangely quiet during the discussions that have punctuated its consideration.

During the remarks last made by the Senator from Michigan [Mr. TOWNSEND] he suggested that certain words forming part of one of the amendments suggested by the junior Senator from Illinois [Mr. McCORMICK], referring to "the emergency caused by the threatened coal strike," be changed to the expression "the present industrial emergency." I understood the Senator from Illinois to say that that was satisfactory to him, and the Senator from Wisconsin [Mr. LA FOLLETTE] says it is satisfactory to him, and that if it is inserted in the concurrent resolution in place of the words suggested by the Senator from Illinois he will withdraw the amendment upon which the yeas and nays have been ordered.

Mr. President, that change can be made very easily by striking out the word "great," in line 5, and of course by eliminating the changes suggested by the Senator from Illinois, and then adding to the phraseology of the amendment of the Senator from Idaho, so that if that change is made it will read as follows:

That we hereby give the national administration and all others in authority the assurance of our constant, continuous, and unqualified support in the use of such constitutional and lawful means as may be necessary to meet the present industrial emergency confronting us, and call upon them to vindicate the majesty and power of the Government in enforcing obedience—

And so forth.

Upon that assurance, I move that the Senate reconsider the vote by which the amendment of the junior Senator from Illinois was adopted.

The PRESIDENT pro tempore. Will the Senator from Colorado permit the Chair to observe that he recognized the right of the Senator from Colorado to modify his concurrent resolution, and the change to which he has just referred was not adopted by vote but was accepted as a modification.

Mr. THOMAS. I think the Chair is mistaken. It was adopted while the Senator from Utah [Mr. KING] was in the chair.

The PRESIDENT pro tempore. That may be true. It was not done while the present occupant of the chair was presiding.

Mr. THOMAS. Hence, my motion to reconsider.

The PRESIDENT pro tempore. Without objection, the vote by which the amendment referred to was adopted will be reconsidered.

Mr. THOMAS. Now, Mr. President, I move—if a motion is necessary—to substitute for the amendment offered by the Senator from Illinois an amendment striking out the word "great," in line 5, and adding to the amendment of the Senator from Idaho, previously adopted, the words "the present industrial," so that there will be one amendment which reads:

The use of such constitutional and lawful means as may be necessary to meet the present industrial emergency.

Mr. LA FOLLETTE. Mr. President, perhaps it would be best for me first to ask unanimous consent to vacate the order by which the yeas and nays were ordered upon the amendment which I introduced, and also to ask leave to withdraw that amendment. If this amendment is agreed to, I shall do exactly that thing.

The PRESIDENT pro tempore. The Senator from Nebraska [Mr. HITCHCOCK] offered an amendment to the amendment proposed by the Senator from Wisconsin, and it would be necessary that he should consent.

Mr. HITCHCOCK. I give my consent. I request the privilege of withdrawing my amendment to the Senator's amendment.

The PRESIDENT pro tempore. Is there objection to the course proposed by the Senator from Wisconsin?

Mr. FALL. Mr. President, I do not know just "where I am at," nor do I think Senators know "where they are at." Therefore I would like to know whether a motion would now be entertained to lay upon the table the resolution, with all pending amendments, substitutes, and suggestions?

The PRESIDENT pro tempore. The Chair is of the opinion that such a motion would be in order.

Mr. FALL. Then, Mr. President, I shall, before making the motion, state again my reasons for it.

In the first place, I think, as I have said before, that the Congress of the United States has enough to do to attend to its own business. If there is any necessity for the passage of legislation to make laws which are now on the statute books more strict or more lenient, that is our business, and let us proceed to it.

Mr. ASHURST. Will the Senator yield to me, because when his motion is put it will not be debatable?

Mr. FALL. I yield to the Senator.

Mr. ASHURST. I am in accord with the Senator in his suggestion. If the Senate is unable to deal with a treaty which the Constitution gives us the power to deal with, how much more hopeless it is to attempt to grapple with that which the executive arm only should deal with?

Mr. FALL. Mr. President, it was first proposed in the original resolution that this body should say to the administrative department, which is a coordinate department of the Government, that we would, in obedience to the Constitution and the laws of the United States, sustain that department in the discharge of its legal duties.

Mr. President, we are now asked to say indirectly to the judiciary department of the United States that we would expect them to perform their duty. Each of these three departments is supreme in its own sphere, and there is one way that Congress can reach either the officials of the administrative or of the judiciary department if they do not perform their duty.

Mr. President, for these reasons I shall, in any event, unless my motion is adopted, vote against amendments and vote against the resolution.

I now make the motion that the resolution, with the pending amendments and everything attached to it, be laid upon the table.

Mr. TOWNSEND. On that, Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HARRIS (when his name was called). I have a pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the senior Senator from Missouri [Mr. REED] and vote "nay."

Mr. KELLOGG (when his name was called). I am paired with the senior Senator from North Carolina [Mr. SIMMONS]. He is absent from the Senate, and I withhold my vote.

Mr. KIRBY (when his name was called). I have a pair with the senior Senator from New Jersey [Mr. FRELINGHUYSEN], which I transfer to the junior Senator from Kentucky [Mr. STANLEY] and vote. I vote "nay."

Mr. McCORMICK (when his name was called). Mr. President, I have a general pair with the junior Senator from Nevada [Mr. HENDERSON], who has left the Chamber. If I were voting, I should vote "nay."

Mr. OVERMAN (when Mr. SIMMONS's name was called). I desire to announce the absence of my colleague [Mr. SIMMONS] on account of illness. He has a pair with the junior Senator from Minnesota [Mr. KELLOGG].

Mr. STERLING (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. He is absent, and I withhold my vote.

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I transfer that pair to the senior Senator from New York [Mr. WADSWORTH] and vote "nay."

Mr. BANKHEAD (when Mr. UNDERWOOD's name was called). My colleague [Mr. UNDERWOOD] is absent on account of illness. He is paired with the junior Senator from Ohio [Mr. HARDING]. If my colleague were present and not paired, he would vote "nay."

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. In his absence I withhold my vote. If I were at liberty to vote, I would vote "nay."

Mr. OWEN (after having voted in the negative). I transfer my pair with the Senator from New Jersey [Mr. EDGE] to the Senator from Louisiana [Mr. GAY] and let my vote stand.

Mr. DIAL. I desire to announce the absence of my colleague, the senior Senator from South Carolina [Mr. SMITH], on account of illness in his family. He is paired with the senior Senator from South Dakota [Mr. STERLING]. If my colleague were here and not paired, he would vote "nay."

Mr. GERRY. I wish to announce the absence on official business of the Senator from Nevada [Mr. HENDERSON] and the Senator from Louisiana [Mr. GAY]. I desire also to announce that the senior Senator from Kentucky [Mr. BECKHAM] and the junior Senator from Kentucky [Mr. STANLEY] are necessarily absent on public business.

Mr. CURTIS. I have been requested to announce that the Senator from Ohio [Mr. HARDING] is paired with the Senator from Alabama [Mr. UNDERWOOD].

The result was announced—yeas 6, nays 67, not voting 23, as follows:

YEAS—6.			
Fall Fernald	France McNary	Nelson	Norris
NAYS—67.			
Ashurst	Hale	McKellar	Robinson
Ball	Harris	McLean	Sheppard
Bankhead	Harrison	Moses	Shields
Borah	Hitchcock	Myers	Smith, Ariz.
Brandeggee	Johnson, Cal.	New	Smith, Ga.
Capper	Johnson, S. Dak.	Newberry	Smith, Md.
Chamberlain	Jones, N. Mex.	Nugent	Smoot
Culberson	Jones, Wash.	Overman	Spencer
Cummins	Kendrick	Owen	Sutherland
Curtis	Keyes	Page	Swanson
Dial	King	Penrose	Thomas
Dillingham	Kirby	Phelan	Townsend
Elkins	Knox	Phipps	Trammell
Fletcher	LaFollette	Pittman	Walsh, Mass.
Gerry	Lenroot	Poindexter	Warren
Gore	Lodge	Pomerene	Williams
Gronna	McCumber	Ransdell	
NOT VOTING—23.			
Beckham	Harding	Reed	Underwood
Calder	Henderson	Sherman	Wadsworth
Colt	Kellogg	Simmons	Walsh, Mont.
Edge	Kenyon	Smith, S. C.	Watson
Frelinghuysen	McCormick	Stanley	Wolcott
Gay	Martin	Sterling	

So the Senate refused to lay the concurrent resolution on the table.

Mr. THOMAS. Mr. President, if it is in order, I now renew the request to further amend the pending resolution by striking out the word "great," in the fifth line, and adding to the amendment hitherto moved by the Senator from Idaho [Mr. BORAH] and adopted the words "present industrial," so that the resolution will read:

That we hereby give the national administration and all others in authority the assurance of our constant, continuous, and unqualified support in the use of such constitutional and lawful means as may be necessary to meet the present industrial emergency—

And so forth.

The PRESIDENT pro tempore. The resolution will be modified as requested by its author, the Senator from Colorado.

Mr. WARREN. Now, let the resolution be read at length from the desk.

The PRESIDENT pro tempore. The Secretary will read the resolution as amended.

The SECRETARY. Without reading the preamble, the resolution, now Senate concurrent resolution 15, as amended, reads:

Resolved by the Senate (the House of Representatives concurring), That we hereby give the national administration and all others in authority the assurance of our constant, continuous, and unqualified support in the use of such constitutional and lawful means as may be necessary to meet the present industrial emergency, and in vindicating the majesty and power of the Government in enforcing obedience to and respect for the Constitution and the laws, and in fully protecting every citizen in the maintenance and exercise of his lawful rights and the observance of his lawful obligations.

Mr. THOMAS. I ask for the adoption of the resolution as amended.

The concurrent resolution as amended was agreed to.

The PRESIDENT pro tempore. The Secretary will report the amendment to the title.

The SECRETARY. Amend the title to agree with the amendment just agreed to so as to read:

Concurrent resolution assuring the administration of the support of the Congress in dealing with the present industrial emergency.

The PRESIDENT pro tempore. Without objection, the title will be so amended.

TREATY OF PEACE WITH AUSTRIA.

Mr. MOSES. Mr. President, I ask unanimous consent for immediate consideration of the order which I send to the desk.

The PRESIDENT pro tempore. The Secretary will read the order.

The Secretary read as follows:

Ordered, That the original manuscript of Senate Document No. 92, entitled "Treaty of Peace with Austria," be withdrawn from the files of the Senate.

Mr. LODGE. I should like to ask the Senator the reason for the order?

Mr. MOSES. I will state that the person through whom the original copy was furnished to the Senator from Massachusetts has requested that it be returned to him.

Mr. LODGE. There is no objection to the order.

Mr. HITCHCOCK. I did not hear the request.

Mr. LODGE. The request is to withdraw the manuscript copy of the treaty with Austria, which I presented. It has been reprinted for the use of the Senate.

Mr. HITCHCOCK. To withdraw the original?

Mr. LODGE. Yes.

The order was agreed to.

TREATY OF PEACE WITH GERMANY.

Mr. LODGE. I move that the Senate proceed to the consideration of the treaty of peace with Germany in open executive session.

The motion was agreed to; and the Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. LODGE. The Senator from Wisconsin [Mr. LA FOLLETTE] gave notice that he would offer an amendment, which, I presume, will be offered at this time.

Mr. LA FOLLETTE. I move to strike out all of pages 487 to 517, inclusive, the same being Part XIII of the treaty of peace with Germany pending before the Senate; and upon that motion I call for the yeas and nays.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Wisconsin.

The SECRETARY. It is proposed by the Senator from Wisconsin [Mr. LA FOLLETTE] to amend by striking out, beginning at the top of page 487, "Part XIII, labour, section 1, organization of labour," and all the treaty down to and including the last line on page 517.

Mr. MYERS. May I ask the Senator from Wisconsin if he proposes by his amendment to strike out the entire labor clause?

Mr. LA FOLLETTE. Yes; Part XIII of the treaty.

Mr. THOMAS. Mr. President, the Senator from Wisconsin has asked for the yeas and nays upon his amendment.

Mr. LA FOLLETTE. I will withdraw that if the Senator wishes to take the floor.

Mr. THOMAS. I am perfectly willing that the Senator should test the Senate upon that question now, but before the vote is taken I desire to address myself to the Senate upon Part XIII.

Mr. LA FOLLETTE. I will withdraw for the present the request for the yeas and nays.

Mr. THOMAS. I am perfectly willing that the Senator should make the request now.

Mr. LA FOLLETTE. I withdraw it for the present.

Mr. THOMAS addressed the Senate. After having spoken for some time,

Mr. PENROSE. Mr. President, will the Senator permit me to interrupt him?

Mr. THOMAS. I yield.

Mr. PENROSE. This is a very important matter that is under discussion now, one of the most important, I think, to be considered in the whole debate.

Mr. THOMAS. I shall not continue very long this afternoon.

Mr. PENROSE. I want the Senator to continue, but I want to have a quorum present.

Mr. THOMAS. I hope the Senate will take a recess in a half hour. I am willing to talk, however, until 6 o'clock.

Mr. PENROSE. I think we ought to have a quorum, even for a half hour. There is only a handful of Senators here when one of the most important matters in the treaty is under consideration.

Mr. THOMAS. That is nothing strange. That is not an unusual condition here.

Mr. LA FOLLETTE. It ought not to be the case.

Mr. PENROSE. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Gronka	Lodge	Ehields
Bankhead	Hale	McCumber	Smith, Ariz.
Borah	Harris	McLean	Smith, Md.
Brandegee	Harrison	McNary	Smoot
Capper	Hitchcock	Moses	Spencer
Chamberlain	Johnson, Calif.	Myers	Sutherland
Colt	Johnson, S. Dak.	Nelson	Swanson
Cummins	Jones, N. Mex.	New	Thomas
Curtis	Jones, Wash.	Newberry	Townsend
Dial	Kellogg	Norris	Trammell
Dillingham	Kendrick	Nugent	Walsh, Mass.
Elkins	Keyes	Overman	Warren
Fall	King	Page	Williams
Fernald	Kirby	Penrose	Wolcott
Fletcher	Knox	Pomerene	
France	La Follette	Ransdell	
Gore	Lenroot	Sheppard	

Mr. WALSH of Massachusetts. I wish to announce that the Senator from Iowa [Mr. KENYON], the Senator from South Dakota [Mr. STEELING], the Senator from Colorado [Mr. PHIPPS], and the Senator from Tennessee [Mr. MCKELLAR] are absent in attendance at a meeting of a subcommittee of the Committee on Education and Labor.

Mr. SHEPPARD. The Senator from Louisiana [Mr. GAY], the Senator from Rhode Island [Mr. GERRY], the junior Senator from Nevada [Mr. HENDERSON], the Senator from California [Mr. PHELAN], the senior Senator from Nevada [Mr. PITTMAN], the Senator from Arkansas [Mr. ROBINSON], the Senator from Georgia [Mr. SMITH], and the Senator from Montana [Mr. WALSH] are necessarily absent on official business.

The PRESIDING OFFICER. Sixty-five Senators having answered to their names, a quorum of the Senate is present. The Senator from Colorado will proceed.

[Mr. THOMAS resumed his speech. After having spoken, in all, for nearly an hour, he yielded the floor for the day.]

UNITED STATES DISTRICT JUDGES.

Mr. NELSON. Mr. President, I ask unanimous consent that the nomination of Edwin Y. Webb, of Shelby, N. C., to be United States district judge for the western district of that State, and the nomination of John W. Peck, of Cincinnati, Ohio, to be United States district judge for the southern district of that State, be laid before the Senate and referred to the Judiciary Committee as in secret executive session.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the nominations will be referred to the Committee on the Judiciary.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until to-morrow, Friday, October 31, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate October 30, 1919.

UNITED STATES DISTRICT JUDGE.

Edwin Y. Webb, of Shelby, N. C., to be United States district judge, western district of North Carolina. (An additional appointment made under the provisions of the act approved Feb. 25, 1919.)

John W. Peck, of Cincinnati, Ohio, to be United States district judge, southern district of Ohio, vice Howard C. Hollister, deceased.

HOUSE OF REPRESENTATIVES.

THURSDAY, October 30, 1919.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Father Soul, out of whose loving heart sprang all that we cherish in life, we thank Thee for the pure and noble, just and merciful, great and holy, left to us out of the holocaust through which we have just passed; the millions who faced death; the thousands who sacrificed their lives; the thousands wounded and left impaired in health; the thousands of heroic men and women who gave themselves to succor the wounded and comfort the dying on the field of carnage and helped the brave men to win the war for justice, liberty, and